



**CITY OF OAK PARK HEIGHTS
PLANNING COMMISSION MEETING MINUTES
Thursday, September 12, 2019 –Oak Park Heights City Hall**

I. Call to Order/Pledge of Allegiance:

Chair Freeman called the meeting to order @ 6:00 p.m. Present: Commissioners Giovinazzo, Kremer, VanDyke and White; City Administrator Johnson, City Planner Richards and City Councilmember Liaison Representative Liljegen.

II. Approval of Agenda:

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

III. Approval of July 11, 2019 Meeting Minutes:

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

IV. Department/Commission Liaison / Other Reports: City Councilmember Liljegen reported that:

- He, Mayor McComber, and Commissioner Kremer attended a meeting of the Lake Elmo Airport Joint Airport Zoning Board and discussed how the City is involved, the Board's formation and its purpose in relation to zoning.
- Representation from the Brown's Creek Watershed District attended Tuesday's City Council meeting and provided the City Council with an update as to the Rules they are considering.
- The City Council approved listing "for sale" the City owned property, located on Stagecoach Trail, N., known as the Bell Property.

V. Visitors/Public Comment: None.

VI. Public Hearings:

- A. Boo Boo's Garage C.U.P: Review and consider a request for a Conditional Use Permit Amendment to allow minor auto repair and outdoor storage at 5899 Nova Scotia Ave., N.

City Planner Richards reviewed the September 6, 2019 Planning Report to the request to allow for a private auto club with auto sales, minor auto repair and outdoor storage. Richards provided an issue analysis and discussed the same. Brief discussion was had as to defining the auto sales component to be indoor only.

Chair Freeman opened the public hearing at 6:15 p.m. and invited public comment.

Kevin Craile of Boo Boo's Garage responded to questions as to the location of the proposed exterior trailer. Chair Freeman indicated that he would prefer to see the trailer parked behind the building or screened. Mr. Craile noted that relocation of the trailer to the building rear would result in them having to move the trailer to snowplow. Commissioner Kremer noted that he walks the trail, near the location and did not find that he has been visually drawn to the location proposed for the trailer parking and suggested that rather than require it be relocated or screened, the City take a wait and see approach and if any complaints are received, revisit the issue. Chair Freeman indicated that he was agreeable to the suggestion.

Mr. Craile noted the business set up to be somewhat museum style, and discussed the operational nature planned for the site in that it would be self-contained and that the site would not become a sales lot. Mr. Craile stated that he expected to invite the neighbors over on occasion to visit.

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

Commission discussion ensued as to the nature of the operation being a car club and the condition requiring that the service doors be closed.

Commissioner Kremer, seconded by Commissioner White, moved to recommend City Council approval of the request, subject to the conditions of the September 6, 2019 Planning Report, as amended; specifically, that:

1. A rapid entry lock box shall be installed at the entrance gate to provide police, fire and emergency service access.
2. The Applicant shall provide a structural plan for the wooden access ramp that has been installed.
3. All new lighting fixtures shall be full cut off and installed in compliance with the lighting standards of the Zoning Ordinance.
4. The outdoor lighting shall be turned off one hour after closing, except for approved security lighting.
5. Major changes to the landscape or new plantings are subject to review and approval of the City Arborist.
6. Changes to the building to accommodate car storage and repair shall require a building permit from the City.
7. Any new mechanical equipment that is located on the roof or ground level and visible from the street level or from neighborhood properties shall be screened with materials that blend harmoniously with the building façade materials.
8. Any additional signage shall be subject to review and approval of City Staff for conformance with City Zoning Ordinance standards.

9. All noise generated from the business shall be compliant with Section 401.15.B.11 of the Zoning Ordinance. The service door to the building shall be closed at all times, except when vehicles are moved in and out of the service entrance.
10. All auto sales and auto repair activities shall be conducted indoors and shall be limited to the private auto club members.
11. All storage of trash, recycling, materials, parts and supplies shall be interior to the building.
12. The applicant shall receive and retain, if required, a Hazardous Waste Generators License for batteries, oil and tires from Washington County.
13. If the City receives complaints on the location of where the enclosed trailer is located, the City Council may reconsider the storage location or require additional screening through an amended Conditional Use Permit.

Carried 5-0.

- B. Minnehaha Transportation – C.U.P.: Review and consider a request for a Conditional Use Permit to allow outdoor truck storage and truck repair at 5280-5288 Stagecoach Trail, N.

City Planner Richards reviewed the September 6, 2019 Planning Report to the Conditional Use Permit request to allow a truck repair operation, with outdoor truck storage. Richards provided an issue analysis and discussed the same.

Brief Commission discussion was had clarifying zoning, that consideration is for the CUP only, that exterior storage is only for trucks, and clarification to aspect of some of the proposed conditions.

Chair Freeman opened the public hearing at 6:38 p.m. and invited comment from the applicant.

Idiris Mohamud, Owner of Minnehaha Transportation introduced himself and discussed the intended nature of the business operation to be a maintenance service and body shop and its operating hours.

Mr. Mohamud responded to questions from the Commission, noting that he anticipated a fewer people on site and with sporadic travel to and from the site, a reduction in traffic volume from that of the previous tenant. He discussed a desire for parking that would allow client parking for a short duration, while they serviced the vehicle and which would allow the client to park for a short stay while at home. City Administrator

Johnson noted issue of parking at Stagecoach Trail N., which is a County road. Mr. Mohamud clarified that there would be no overnight occupancy of vehicles parked at the site.

Chair Freeman invited public comment.

Larry Phillips of 5272 Stagecoach Trail, N. introduced himself as the neighbor adjacent to the property and stated that the property has been problematic for many years and discussed a number of concerns and conditions he would like should the request be considered for approval, including air conditioning to his home, landscaping conditions, noise, traffic volume and speeds, air quality, parking at the site and upon Stagecoach Trail, inspection of the fuel tank at the site, and hours of operation.

Idiris Mohamud acknowledged Mr. Phillips concerns and conceded that he had some points, indicating that he would be open to discussion the provision of AC to his home. Mr. Mohamud responded to concerns noted by Mr. Phillips and discussed them, noting that dedicated employee parking is not a problem, that he had no issue of no employee or client parking upon Stagecoach Trail, that he was not opposed to providing some work to screening to assist in creating privacy, and that the hours proposed by Mr. Phillips for operation were not suitable to the nature of the business.

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

Discussion ensued as to the matter of the applicant working with Mr. Phillips with regard to AC provision being a private matter between them, the need to ensure that the City Arborist visits the site to note conditions and issues to the site and recommend appropriate remediation, there being regularly control standards for paint booths, including air quality, Stagecoach Trail parking and vehicle speeding, fuel stations having regulatory controls, traffic volume to and from the business site, back up alarm noise, proposed hours of operation, locking of the site entry gate during hours of non-operation and clarification of client parking and repair hours being the same.

Commissioner White, seconded by Commissioner Kremer, moved to recommend City Council approval of the request, subject to the conditions of the September 6, 2019 Planning Report, as amended; specifically, that:

1. The number of truck vehicles, including truck only, tractor only, trailer only, or any combination truck-trailer allowed onsite and stored outdoors shall not exceed 85.
2. All employees dispensing fuel shall receive training for proper fueling techniques, including emergency spill response procedures.
3. The Applicant shall submit a Stormwater Pollution Prevention Plan and Notification for Above-Ground Storage Tanks to the MPCA if the tank is to be replaced.
4. The Applicant shall submit a Spill Prevention and Control Countermeasure Plan to the EPA and to the City, if required.

5. The Applicant shall receive and retain a Hazardous Waste Generators License from Washington County for the repair operation.
6. The Applicant shall comply with all Building Code requirements for the fuel tank and installation of a paint booth. A building permit shall be required from the City for the fuel tank and paint booth installation.
7. The Applicant shall provide a plan for noise and exhaust mitigation for review by the City. All air quality standards of the Minnesota Pollution Control Agency (MPCA) shall be complied with.
8. A rapid entry lock box shall be installed at the entrance gage to provide police, fire and emergency service access.
9. Any changes to the grading, drainage and utilities shall be subject to the review and approval of the City Engineer.
10. All lighting fixtures shall be full cut-off and installed in compliance with the lighting standards of the Zoning Ordinance.
11. The outdoor lighting shall be turned off one hour after closing, except for approved security lighting.
12. The City Arborist should comment if there are any tree maintenance issues or if additional trees should be added for screening and the Applicant shall provide a plan to take appropriate corrective measures. The tree plan shall be subject to review and approval of the City Arborist.
13. Any additional signage shall be subject to the review and approval of City Staff for conformance with Zoning Ordinance standards.
14. All noise generated from the business shall be compliant with Section 401.15.B.11 of the Zoning Ordinance. No vehicle repair shall be conducted outside. The service doors to the building shall be closed at all times, except when vehicles are moved in and out of the service bays.
15. Mechanical equipment that is located on the roof or visible from the street level or from neighboring properties shall be screened with materials that blend harmoniously with the building façade materials and in accordance with Section 401.15.E.10.e of the Zoning Ordinance.
16. There shall be no outside storage, including tires and vehicle parts unless enclosed with a screen. No storage shall be allowed in trailers that are parked upon the property.
17. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. Saturday and Sunday. The operations shall cease and the entrance gate shall be locked no later than 15 minutes after the approved closing times.

18. All employees shall be assigned a designated parking stall. No employee or vehicle client parking shall be allowed on Stagecoach Trail. The City shall make a request to Washington County that Stagecoach Trail, adjacent to the subject site in Oak Park Heights, be designated for no parking on either side of the roadway.
19. There shall be no overnight stays by clients.
20. If truck backing alert systems create a noise issue for surrounding properties, the City Council shall review the Conditional Use Permit and the conditions of approval.
21. Annual review is imposed as a condition of this Conditional Use Permit. This permit shall be reviewed on or about October 1 of each year and may be amended or altered at the discretion of the City Council through an amended Conditional Use Permit.

Carried 5-0.

VII. New Business: None.

VIII. Old Business:

- A. Planning Commission Letter to Metropolitan Council: Review letter draft regarding Comprehensive Plan Review process

Commissioner White, provided the Commission with an update to revisions made to the letter draft. Discussion ensued as to the inclusion of monetary details being included with regard to costs expended in preparing the plan, when and to whom to send the letter, conversation that has been had with Metropolitan Council related to associated costs, and the need for a solution for small cities to be able to prepare the plan without occurring excessive costs to do so. City Planner Richards noted that it was his understanding that Metropolitan Council review approval of the plan is very close.

Commissioner Kremer, seconded by Commissioner VanDyke moved to recommend sending the letter onto City Council for their review and approval and seeking their insight as to how they would have the Planning Commission to proceed.

Carried 5-0.

Commissioner Kremer commended Commissioner White for his work to the letter and setting the appropriate tone to the communication.

IX. Informational:

Commissioner White inquired as to the status of the Holiday Inn Express proposal. City Administrator Johnson provided the Commission with an update of events, ultimately resulting in the applicant having to withdraw their application.

A. Upcoming Meetings:

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| • Tuesday, September 24, 2019 | City Council | 6:00 p.m./City Hall |
| • Tuesday, October 8, 2019 | City Council | 6:00 p.m./City Hall |
| • Thursday, October 10, 2019 | Planning Commission | 6:00 p.m./City Hall |
| • Tuesday, October 22, 2019 | City Council | 6:00 p.m./City Hall |
| • Tuesday, November 12, 2019 | City Council | 6:00 p.m./City Hall |
| • Thursday, November 14, 2019 | Planning Commission | 6:00 p.m./City Hall |
| • Tuesday, November 26, 2019 | City Council | 6:00 p.m./City Hall |

B. Council Representative

- Tuesday, September 24, 2019 – Commissioner VanDyke
- Tuesday, October 22, 2019 – Commissioner White
- Tuesday, November 26, 2019 – Commissioner Freeman

X. Adjourn.

Commissioner Kremer, seconded by Commissioner Giovinazzo, moved to adjourn at 7:55 p.m. Carried 5 – 0.

Respectfully submitted,

Julie Hultman
Planning & Code Enforcement

Approved by the Planning Commission: 02-13-2020 / 5-0.