

MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
March 1, 2023

MEETING CALLED TO ORDER BY MS. MILLER AT 7:00 P.M.

Present: Tim Felton
 Geoff Fournier
 Jason Frankot
 Ruth Krueger
 James Hart
 Brianne Miller
 Michael Healy, City Planner
 Monika Miller, Associate Planner

Absent: Chad Schlemmer

- 1) APPROVAL OF AGENDA – Motion to approve as presented –Fournier/Felton (6-0)
- 2) APPROVAL OF MINUTES – February 1, 2023 – Motion to approve the minutes as presented – Fournier/Hart.
- 3) NEW BUSINESS

A. Planning Commission Rules of Order

Motion to approve the rules of order- Krueger/Miller (6-0)

B. Officer Elections

Ms. Miller opened nominations for the chair of the Planning Commission.

Commissioner Krueger nominated Commissioner Felton to be the chair. Commissioner Felton accepted his nomination.

Commissioner Felton nominated Commissioner Fournier to be the chair. Commissioner Fournier accepted his nomination.

Since two individuals were nominated, a secret ballot was held to determine which of the nominees would be the chair. Commissioner Felton received four votes. Commissioner Fournier received two votes. Commissioner Felton received the majority of the votes and was elected as the chair.

Ms. Miller opened nominations for the vice chair.

Commissioner Frankot nominated Commissioner Fournier as the vice chair of the Planning Commission. Commissioner Krueger seconded the nomination. Commissioner Fournier accepted the nomination.

Motion to elect Commissioner Fournier as the vice chair- Hart/ Frankot (6-0).

4) PUBLIC HEARINGS

A. 1020 Marie Avenue Rezoning

Ms. Miller shared the staff report. The Applicants are Holly Arnst and Aaron Adkins on behalf of their business Inspire Renovation. They are requesting to have the property at 1020 Marie Avenue rezoned from “R-2, single-and-two-family residence district” to “C-1, retail business district.” The subject property contains a commercial building that historically had been used for medical/dental office uses and was most recently used as a chiropractor’s office. The building has been vacant for several years and so the property can only be used for uses that allowed in the R-2 district. The Applicants would like to use the building as an office for their contractors’ operation but are unable to do so with the property being zoned R-2. Offices are an allowable use in the C-1 district and so the Applicants have requested that the property be rezoned as such.

Chair Felton asked if the rezoning would impact the off-street parking regulations for the site. Ms. Miller explained that if the property is rezoned to C-1, the building would be able to use its existing parking area and would not be required to add additional parking because the building is under 15,000 square feet in size. Mr. Healy added that previously the City had several commercial buildings along Southview Boulevard and Marie Avenue that were vacant and ineligible for reuse without a parking variance because of the number of off-street parking spaces at the site. The parking requirements were updated in 2022 to allow these smaller commercial buildings to be reused without a parking variance.

Chair Felton asked staff to confirm if there were any conditions attached to the rezoning. Ms. Miller clarified that the request before the Planning Commission was a request for a rezoning so there were no conditions attached to the request.

Commissioner Frankot asked if the Applicant owned the building. The Applicants confirmed that they do own the building.

Holly Arnst and Aaron Adkins, owners of Inspire Renovation, were present at the meeting to answer questions. Ms. Arnst explained that they are a family owner company that does mostly real estate owned renovation. Ms. Arnst explained that they planned to use the building as an office for the building.

Chair Felton asked the applicant if they intended to park construction vehicles and equipment in front of the building. Ms. Arnst explained that they own one unmarked truck that they will be parking onsite. Ms. Arnst explained that they mostly do paint and carpet work so they do not have the equipment that is often associated with contractors’ operations.

Commissioner Frankot asked if the Applicants had any plans for the building. Ms. Arnst stated that the building meets their needs as it is today. Ms. Arnst shared that they could envision in the future building a garage to store their company vehicle but had no specific plans to do so.

Chair Felton opened the public hearing.

Mr. Healy shared that the City had received a comment from Andrew Hoeschen at 106 10th Avenue South who shared he was in support of the property being rezoned to commercial.

No one was present at the meeting to comment on the item.

Chair Felton closed the public hearing.

Commissioner Hart commented that the application seemed straightforward.

Commissioner Krueger added that she had thought the property was already zoned for commercial use.

Motion to recommend approval of an ordinance rezoning the subject property from “R-2, single-and-two family residence” to “C-1, retail business district”- Frankot/Fournier (6-0).

B. Twin City Hide/Twin City Tanning PUD Extension

Mr. Healy shared the staff report. The Applicant is Twin City Hide. Twin City Hide is continuing to implement their approved 5-phase Planned Unit Development at 491 Malden Street. The PUD master plan was originally approved in 2017 and was extended in 2019. Twin City Hide is currently required to complete the project by May 31, 2023 but is requesting an extension to allow the project to be completed by May 31, 2026. The Applicant shared that the project was delayed due to supply chain issues related to the pandemic and the complex odor mitigation and water recycling technology being used at the site. Staff feel that the 3-year extension is sufficient time to complete the project and recommend approval of the project subject to the conditions outlined in the staff report.

Chair Felton asked for confirmation that the application was for an extension. Mr. Healy confirmed that it was.

Commissioner Hart asked Mr. Healy if staff would be open to extending the project deadline if the Applicant has not completed their project within 3 years. Mr. Healy stated that the City reacts to requests as opposed to prejudging applications and what might happen. The reason the zoning approval has an expiration date is because a lot can change over three years. The expiration date allows the City to make sure that the Applicant is requesting an extension for a feasible project.

Commissioner Miller asked if there was a limit on the number of extensions that can be granted. Mr. Healy stated that there was no legal limit to the number of extensions that could be granted.

Paul Rogosheske of Rogosheske, Rogosheske & Atkins, Dick Gunderson of Gunderson Construction and Doug Baker of Gunderson Construction were all present to speak to the application.

Chair Felton opened the public hearing.

No comments had been received prior to the meeting and no one was present to comment on the application.

Chair Felton closed the public hearing.

Commissioner Krueger commented that the Applicant had made a good faith effort to complete the project but had been saddled with delays cause by COVID.

Chair Felton asked Mr. Healy if he had received any odor complaints about the site. Mr. Healy explained that any odor mitigation plans are forwarded to the City’s consultant SEH. After each building is completed, additional odor monitoring is done by SEH at the site to ensure that the odor mitigation systems are working correctly. Mr. Healy state that there had been very few confirmed odor complaints from the facility over the last three years and added that the Applicant’s had been very responsive anytime there had been issues.

Commissioner Frankot commented on the big push for the odor mitigation systems in the third phase of the facility’s reconstruction. Mr. Healy shared that odor mitigation had been a large driver of the overall project for the Applicant.

Motion to recommend approval of an amendment extending the Conditional Use Permit for a Planned Unit Development for Twin City Hide- Hart/ Fournier (6-0).

C. Pet Fresh Dog Wash CUP Amendment

Mr. Healy presented the staff report. The Applicant was Linn Companies. The Applicant is requesting an amendment to their pet grooming conditional use permit to allow extended hours of operations which would allow their dog groomer to be open between 6:00 AM and 10:00 PM. The Conditional Use Permit the Applicant received in 2022 would allow the dog groomer to operate between 7:00 AM and 8:00 PM. Staff view no reason to deny the Applicant's request as the property is located in a commercial district and the ordinance was recently amended to allow the Applicant additional hours of operation.

Chair Felton asked staff to confirm whether the Application they approved in 2022 would allow the property to have dogs onsite overnight. Mr. Healy clarified that the Applicant was approved to have the self-serve dog wash open from 5:00 AM to 1:00 AM daily. The groomer was restricted to normal daytime hours of 7:00 AM to 8:00 PM.

Commissioner Krueger commented that while the property was commercial, it is located in close proximity to a residential house. Mr. Healy clarified there was a commercial building to the south of the subject property, a mixed use building directly west of the subject property, and a residential property across the street from the property.

Commissioner Hart asked about odor or sound control mechanisms the site would employ to avoid impacting the neighboring residential properties. Mr. Healy explained that the City Code has regulations that prevent nuisance activities and by adding similar language as a condition of approval for the conditional use permit amendment provides the city with extra support to address a situation where the business generates noise and odors that impact the neighboring residential property.

Commissioner Krueger commented that there may be several dogs in the groomer's suite just based on the nature of the business and shared that she would not want to hear a dog barking at 9 or 10 o'clock at night.

Chair Felton asked Mr. Healy if there was still a dog training facility in the Southview Shopping Center. Mr. Healy confirmed that there was and that the business was operating under a conditional use permit from the early 1990s. Chair Felton asked if staff had received complaints about barking at the site. Mr. Healy stated that he had not received any such complaints.

Commissioner Krueger asked about the hours of operation for Southpaw Pet Grooming. Mr. Healy shared that the property did not have a conditional use permit and that he did not know the hours of operation for the business. Commissioner Krueger asked what would govern the operating hours for the business. Mr. Healy stated that if the city received a complaint and the property had "grandfather" rights to operate without a conditional use permit, the business would be "grandfathered" for whatever the hours of operation for this type of business were when the ordinance took effect. Ms. Miller added that the business stated on their website that their hours were 8:00 AM to 4:00 PM.

Bill Wallace, Linn Companies, was present to speak to the application.

Chair Felton asked staff if any of the conditions of approval for the application had changed. Mr. Healy clarified that the only thing that was changing was the hours of operation for the business.

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Commissioner Hart asked Mr. Wallace if he had a projection of how many individuals would utilize the later business hours. Mr. Wallace stated that he did not but did not want to limit the hours of the business. Mr. Wallace shared that he had a Sheepdoodle that required about 3 hours of grooming so a service like this would allow him to drop off the dog before dinner and pick it up just before closing.

Commissioner Frankot asked the Applicant to clarify that the extended hours are more aimed towards someone that is dropping their dog off after work and picking the dog up after dinner instead of dropping the dog off for grooming an hour before closing. Mr. Wallace confirmed this to be the case. Commissioner Frankot asked the if any dogs would be kept on site after they had been groomed. Mr. Wallace explained that the grooming area was designed to have several kennels in the room for dogs that are done grooming and waiting to be picked up or that need a break from grooming.

Chair Felton asked if Linn Companies would own and operate the business or if it would be leased by another entity. Mr. Wallace stated that Linn Companies would own and operate the business.

Commissioner Fournier asked how many kennels would be in the groomer's space. Mr. Wallace stated that the last design he saw showed two kennels.

Chair Felton opened the public hearing.

No one was present to speak on the application and no correspondence had been received prior to the meeting.

Chair Felton closed the public hearing.

Motion to recommend approval of a Conditional Use Permit Amendment for Pet Fresh Dog Wash– Miller/Hart (6-0).

5) OTHER BUSINESS

A. Planning Commission Annual Report

Ms. Miller explained that the City Code requires the Planning Commission to submit an annual report of its work from the previous year to the City Council each year. This report details the cases that were reviewed as well as commissioner attendance and building permit information.

Chair Felton asked if a roll call vote would be required for the item once a motion and a second had been made. Ms. Miller stated that a roll call vote was required.

Motion to approve and forward the annual report to the City Council- Krueger/Fournier (6-0).

B. Other

Chair Felton shared that the South St. Paul Girl's Hockey Team took third in the state tournament and congratulated them on a successful season.

6) ADJOURNMENT

Motion to adjourn- Hart/Frankot (6-0).