

MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISISON
July 7, 2021

MEETING CALLED TO ORDER BY CHAIR ROSS AT 7:00 P.M.

Present:

Angela DesMarais
Tim Felton
Geoff Fournier
Jason Frankot
Ruth Krueger
Matthew Thompson
John Ross
Michael Healy, City Planner
Monika Mann, Community Development Support Specialist

Absent: None

- 1) APPROVAL OF AGENDA – Motion to approve as presented – Thompson/ DesMarais (7-0)
- 2) APPROVAL OF MINUTES – June 2, 2021 – Motion to approve the minutes as presented – Krueger/Thompson (7-0).
- 3) NEW BUSINESS

None.

- 4) PUBLIC HEARINGS

A) Public Hearing for a Preliminary and Final Plat for “The Stockyards Tavern Addition”

Ms. Mann shared the staff report. The applicant is Greg Miller on behalf of KC, LLC. The applicant is seeking a preliminary and final plat for a two-lot combination at 456 Concord Exchange South. The subject property is made up of two lots that were unintentionally created as part of the 2018 approval for the Kaposia Club Restaurant. At the time, the site of the future Kaposia Club (Stockyards Tavern) was made up of a number of tax parcels. One of the conditions of approval for the project was that the parcels needed to be combined. When the developer went to Dakota County to have the parcels combined, they were informed that the parcels could not be combined into one lot because the tax parcels were from two separate plats. The only way for lots from separate plats to be combined is by replatting the lots. Dakota County did combine the lots that were in the same plat, creating the two lots that make up the site today. The applicant has put in a request to combine the lots through the “Stockyards Tavern Addition” plat. The proposed preliminary and final plat meets the city’s standards for a new plat. Staff recommends approval of the proposed preliminary and final plat subject to boiler plate conditions.

Greg Miller, KC LLC, was present to speak to the request. Mr. Miller explained that as part of the expanded patio project, Stockmans is hoping to expand their parking lot. In order to expand the parking at the site, the two separate lots need to be combined.

Chair Ross asked Mr. Miller if the patio project was still following its original timeline. Mr. Miller stated that the project is on track with the original timeline.

Chair Ross opened the public hearing.

Staff had not received any correspondence and no one was present to speak on the item.

Chair Ross closed the public hearing.

Motion to recommend approval of the preliminary and final plat for “The Stockyards Tavern Addition”- DesMarais/ Fournier (7-0).

B) Public Hearing for a Conditional Use Permit for Truck and Trailer Repair at 497 Farwell Avenue

Mr. Healy presented the staff report. The applicant, Quality Truck and Trailer Repair, is requesting a Site Plan approval to tear down the existing “grandfathered” building and replace it with a new building in the same footprint and a Conditional Use Permit for truck and trailer repair at 497 Farwell Avenue.

The property is zoned I-1. Truck and trailer repair is a conditional use in the Light Industrial district.

The applicant requested a similar Conditional Use Permit for the site two years ago. At the time, the applicant had requested to rehabilitate their existing building for truck and trailer repair. After receiving approval, it quickly became clear that the cost to rehabilitate the building would have been too high for the product that would have resulted from the rehab so the applicant let their initial CUP expire. Since then, they have been working with a new contractor on plans to replace the existing building with a new facility.

The new facility would be used as a truck repair facility, mainly for the repair of tractor trailers and some trailers. Repair services would include mechanical repairs, oil changes, tire changes, etc. The business would have between 8 and 10 employees. The business would serve up to 5 customers at a time. The hours of operation would be Monday to -Friday 8:00 AM to 6:00 PM and possibly Saturday 9:00 AM to 4:00 PM.

The property has a number of zoning nonconformities including the building’s metal siding, a complete lack of landscaping, the high percentage of lot coverage, and the existing parking stalls do not meet setbacks. State statute allows lawful nonconformities to be repair, maintained, improved, and replaced. The applicant has the legal right to construct a new building that is the same size as the previous building as long as they apply for a building permit within 180 days of demolition. Because the proposed use at the site requires a CUP to operate, the City can attach “reasonable conditions” as part of the approval that would require the applicant to make updates to the site that would bring it closer to compliance with the zoning code. This allows the City and the applicant to meet somewhere in the middle between full compliance and their existing nonconforming status. The City Council also discussed this item at a work session in March of 2021. The City Council indicated at the work session that they would like to see the same conditions of approval that were in the 2019 CUP. Staff recommends approval of the proposed Conditional Use Permit and Site Plan subject to a number of conditions of approval.

Chair Ross asked about the use of the property since 2019. Mr. Healy stated that to his knowledge, no permit had been issued for the demolition of the building. Earlier in the year, the site had noticeable, unauthorized exterior storage. At the March City Council work session, the applicant stated that they would address the exterior storage. Chair Ross reported that when he had been at the site recently, he noticed that the building had a number of vehicles with expired tabs or that were missing their license plates and that part of the metal building had been torn down. The site appeared to still have electricity despite not being in use as someone had

Planning Commission Minutes

July 7, 2021

Page 3 of 4

been running an electrical cord from the site to a refrigerator and a battery charger. There appeared to be a scrapping or salvaging operation going on at the site. Mr. Healy stated that he would visit the site to review its current conditions.

George Barr, general contractor for the project, came forward to speak to the application. Mr. Barr explained that he had been working on getting the project to a buildable point. The applicant had previously been road blocked by another contractor who led them astray with what could be done at the site. The applicant has funding and wants to build a building but is not familiar with the procedures that need to be followed to receive City approval.

Chair Ross asked Mr. Barr if he was aware of the condition of the site. Mr. Barr stated that he was now aware of the condition of the site and would follow up with the applicant.

Chair Ross asked if Mr. Barr was aware of the conditions of approval that were laid out in the staff report. Mr. Barr stated he was aware and that the conditions were reasonable.

Chair Ross stated that there was trash at the site and asked who is responsible for cleaning up the site. Mr. Healy stated that the property owner is responsible for the condition of the site.

Chair Ross asked if the site would be used for tractor and trailer sales. Mr. Barr stated that the site would not be used for vehicle sales.

Chair Ross opened the public hearing.

Staff had not received any comments and no one was present at the meeting to comment.

Chair Ross closed the public hearing.

Mr. Healy noted that the Planning Commission could add a condition of approval expressly stating that vehicle sales were not allowed at the site. The city code already includes language that bars this type of use; however, if the commissioners would be more comfortable adding an additional condition, they could.

Commissioner Felton suggested that the applicant be present at the City Council meeting given the number of issues that were brought up about the site at the Planning Commission meeting.

Commissioner Thompson shared that this is an opportunity to get rid of blight and to bring additional business to the area.

Motion to recommend approval of the Site Plan and Conditional Use Permit for truck repair at 497 Farwell Avenue subject to the conditions in the staff report and the additional condition that the site may not be used for vehicles sales. - Thompson/ Fournier (7-0).

5) OTHER BUSINESS

Mr. Healy shared that staff received a number of development applications for review at the August Planning Commission meeting. Projects to be reviewed included phase II for the Yards and the Drover and a patio addition at Blacksheep coffee. The city also received applications for two residential variances.

Planning Commission Minutes

July 7, 2021

Page 4 of 4

6) ADJOURNMENT

Motion to adjourn- Frankot /Felton (7-0).