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**REGULAR MEETING
OF THE
VADNAIS HEIGHTS PLANNING COMMISSION
MAY 26, 2020**

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OPEN MEETING

Chairperson Evan Cordes called the Regular Meeting of the Vadnais Heights Planning Commission to order at 7:12 p.m. on May 26, 2020.

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ROLL CALL

Evan Cordes, Chairperson	Present
Linda Bigelbach	Present
Edward Caillier	Present
Brian Carnes	Present
Curt Cooper	Absent
Martin Jokinen, Vice Chairperson	Present (joined at 7:20 p.m.)
Joseph Stumph	Present
Jerry Moynagh, First Alternate	Present
Terri Dresen, Second Alternate	Present

Also present: Nolan Wall, Planning/Community Development Director; and Jeff Melcoch, Cable Producer.

Chairperson Cordes noted an issue may have occurred with the online meeting agenda link and that while they would be continuing with the meeting additional opportunities to provide public input on Planning Case 20-007 would occur at either another Planning Commission meeting or City Council meeting.

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APPROVAL OF AGENDA

Upon motion by Commissioner Carnes, seconded by Commissioner Caillier, it was

“RESOLVED, to approve the May 26, 2020, Regular Meeting Agenda as presented.”

Ayes – 7 Nays – 0

The motion carried.

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APPROVAL OF MINUTES

Upon motion by Commissioner Caillier, seconded by Commissioner Bigelbach, it was

“RESOLVED, to approve the minutes of the April 28, 2020, Regular Meeting as presented.”

49 Ayes – 7 Nays – 0

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51 The motion carried.

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53 **OPEN TO THE PUBLIC**

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55 Chairperson Cordes opened the floor to the public at 7:15 p.m. for questions and comments
56 on items not on the agenda.

57

58 As no one wished to address the Commission, Chairperson Cordes closed the meeting to
59 the public at 7:15 p.m.

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61 **PUBLIC HEARINGS**

62

63 A. Planning Case 20-007 – Ink Partnership – Variance at 1000 Labore Industrial Court.

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65 Planning/Community Development Director Wall provided a presentation with
66 background information stating the applicant/property owner is requesting a variance from
67 the applicable standards for construction of a new driveway on the subject property. He
68 explained the subject property contains an existing office-warehouse building. The existing
69 driveway from Labore Industrial Court serving the main building entrance and parking lot
70 is located on the adjacent unaddressed parcel to the east, which was recently sold by the
71 applicant/property owner to the property owner of 3235 Labore Industrial Court. As a
72 result, a new driveway is required to provide direct access to the subject property in close
73 proximity to the existing driveway. Wall said the existing development is currently served
74 by two driveways from Labore Industrial Court but was developed across two parcels. He
75 noted that the proposed driveway is approximately 15 feet from the existing driveway to
76 the east and requires a 25-foot variance from the applicable 40-foot separation standard
77 and the easterly driveway is located on an adjacent property formerly owned by the
78 applicant/property owner, which was recently sold to the adjoining property owner to the
79 east. Therefore, direct access to the existing building’s main entrance/parking lot was
80 eliminated and an easement was not negotiated as part of the land transaction. The
81 applicant/property owner is requesting the variance in order to re-establish their own access
82 in close proximity to their former access. The existing building’s location and parking lot
83 orientation are practical difficulties that do not allow a new driveway to meet the 40-foot
84 separation standard from the existing driveway. Wall noted that the driveway separation
85 standard is intended to provide ample space between driveways to allow for appropriate
86 sightlines and reduce potential turning movement conflicts. Labore Industrial Court is a
87 cul-de-sac serving only five industrial properties and has very low traffic volumes. Wall
88 said that the benefit of resolving the access issue because is outweighs the potential safety
89 concerns, in staff’s opinion. The proposed driveway will not alter the essential character
90 of the area.

91

92 Commissioner Carnes commented how this action should have come before the applicant
93 sold the property as it established practical difficulties and could have closed off the other
94 entry and put in the new driveway before the property sale. He inquired about the
95 evergreen tree and if it would be retained or relocated. He also asked about who is

96 responsible for the utility movement. Wall said one of the proposed conditions requires
 97 the property owner to replant any vegetation removed as part of the driveway construction.

98
 99 Commissioner Carnes suggested instead that we say the other property owner needs to
 100 close the other entrance so the next one could be established outside the 40 feet. Wall said
 101 staff considered that option but noted when the other site develops the City would like to
 102 see what happens depending on building use, dock doors, access and circulation and could
 103 instead impart conditions about closing off that driveway or making the property owner
 104 comply in order to redevelop the site and provide adequate protections be placed on the
 105 next applicant but said staff was fine with the driveway locations as proposed.

106
 107 Commissioner Caillier said with the sale of the adjacent property it appears there was one
 108 row of parking eliminated from the applicant’s property so does the remaining stalls meet
 109 the City Code requirements. Wall replied yes and that he is unsure why the parking lot was
 110 allowed to be put across two parcels but the parking is adequate and would be confirmed
 111 when adjacent parcel develops.

112
 113 Ken Krueger, Ink Partnership, said he was available for questions.

114
 115 Chairperson Cordes asked if the driveway from the property sold would still be used as the
 116 driveway for the new property owners. Mr. Krueger said he was not sure but it was
 117 currently used and served as an access for part of the parking lot they purchased, adding
 118 they developed parking on two different parcels when they sold off their driveway.

119
 120 Chairperson Cordes opened the public hearing at 7:23 p.m. and outlined the public
 121 testimony process in the virtual meeting format.

122
 123 As no one wished to address the Commission, Chairperson Cordes closed the public
 124 hearing at 7:25 p.m.

125
 126 Upon motion by Commissioner Carnes, seconded by Commissioner Bigelbach, it was

127
 128 “RESOLVED to recommend approval of the requested 25-foot variance from the
 129 applicable 40-foot separation standard based on the following findings of fact:

- 130 1. The existing uses are permitted in the Industrial District and are compliant with the
 131 2040 Comprehensive Plan.
- 132 2. The existing driveway serving the main building entrance/parking lot is located on
 133 an adjacent parcel that was recently sold to an adjoining property owner and an access
 134 easement was not established.
- 135 3. The existing building’s location and parking lot orientation are practical difficulties
 136 that do not allow a new driveway on the subject property to meet the 40-foot
 137 separation standard from the existing driveway.
- 138 4. Labore Industrial Court is a cul-de-sac serving only five industrial properties and has
 139 low traffic volumes, which mitigates any potential traffic safety issues resulting from
 140 the location of the proposed driveway access.
- 141 5. The proposed driveway establishes direct access to the subject property in close
 142 proximity to the former access and will not alter the essential character of the area.

143

144 Subject to the following conditions:

- 145 1. A zoning permit shall be submitted prior to commencement of any construction
- 146 activities on the subject property, to be reviewed/approved administratively.
- 147 2. The driveway apron shall be constructed of concrete, including curb and gutter.
- 148 3. Bituminous removal shall be at least two-feet-wide, using proper saw-cutting.
- 149 4. The driveway shall be constructed in compliance with the applicable code standards,
- 150 to be reviewed/approved administratively as part of the zoning permit.
- 151 5. The property owner shall re-plant any vegetation removed to construct the driveway,
- 152 to be reviewed/approved administratively.

153
154 Chairperson Cordes said should members of the public wish to speak but were unable to
155 access the website that an opportunity would be provided at an upcoming City Council
156 meeting or at a reconvened Planning Commission meeting if necessary.

157
158 Commissioner Jokinen’s virtual connection failed and it was noted for the record that
159 Alternates Moynagh or Dresen would vote in his absence.

160
161 Ayes – 7 Nays – 0

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163 The motion carried.

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165 **NEW BUSINESS**

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167 None.

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169 **OLD BUSINESS**

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171 None.

172
173 **REPORTS**

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175 A. Council Liaison

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177 Council Liaison Youker had nothing new to report.

178
179 B. Planning Commissioners

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181 None.

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183 C. Staff

184
185 Planning/Community Development Director Wall reported that the new Chief Building
186 Official would begin work on June 1 and explained how the City had utilized a private
187 contractor and help from White Bear Lake and White Bear Township staff during the
188 interim. He asked whether Planning Commission meetings would continue to be virtual
189 and the potential to hold meetings earlier and provide adequate notice for any public who
190 wish to physically attend the meetings, adding next month’s meeting would include
191 consideration of a site plan application for an office-warehouse building on Labore Road.

192 Discussion was held on potential meeting time changes and consensus was to continue
193 holding Planning Commission meetings at 7:00 p.m.

194

195 Commissioner Jokinen returned to the meeting at 7:33 p.m.

196

197 Planning/Community Development Director Wall updated the Commission noting that the
198 At Home Apartment project was moving forward, and Mr. Frattalone continues to pursue
199 his development through work with the watershed district, and that the Luther Cadillac
200 project was currently delayed indefinitely.

201

202 Commissioner Caillier asked about the garage condo project off of McMenemy.
203 Planning/Community Development Director Wall said staff have no development
204 agreement yet so the project is not moving forward at this time, adding it may have been
205 either a speculative project and likely delayed or even abandoned.

206

207 Commissioner Dresen asked if the City was considering returning to in-person meetings
208 now that Governor Walz was beginning to open up the State from the pandemic. Wall said
209 staff are waiting to decide and said it would be based on the comfort level of Planning
210 Commissioners and the ability to conduct safe public meetings in person but felt if those
211 want to continue virtual meetings that would be fine.

212

213 Commissioner Cordes encouraged the public who had questions or concerns regarding the
214 meeting process to contact Wall.

215

216 Wall shared a resolution passed by the City Council that provides exemptions for local
217 bars/restaurants to establish patio spaces in off-street parking lots based on rules and
218 compliance that do not cause public safety concerns. He said they hoped restaurants would
219 maximize this option and that all permits will be done administratively, as time is of the
220 essence to allow maximum flexibility. He noted that maximum flexibility is granted but
221 must still retain public safety on a temporary basis only to expanding seating capacity
222 because of the pandemic and the Governor's orders that allowed the opening of restaurants
223 for outdoor patio use only.

224

225 **NEXT MEETING**

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227 The next Planning Commission meeting will be held on June 23, 2020.

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229 **ADJOURN MEETING**

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231 Upon motion by Commissioner Jokinen, seconded by Commissioner Moynagh, the
232 meeting was adjourned at Bigelbach at 7:39 p.m.

233

234 Respectfully submitted,

235 Cathy Sorensen

236 *TimeSaver Off Site Secretarial, Inc.*