

Planning and Zoning Commission
Thursday, June 7, 2012
7:00 P.M.
City Council Chambers
Minutes

MEMBERS PRESENT:

Brent Kemple
Nancy Heim
John Schaber
Bruce Dorman
Jerel Mockenhaupt
Wayne Getz

MEMBERS ABSENT:

None

STAFF PRESENT:

Nick Koverman, City Administrator
Andy Masterpole, Yaggy Colby & Associates, Planner

OTHERS IN ATTENDANCE:

Geoff Griffin, Wade Dumond (Kwik Trip), Cathy Campbell, Margaret Heim, Bill Heim, Melanie Zickrick, Deb Johnson, Robert Fergeson and Terry Johnson.

ESTABLISH QUORUM/CALL TO ORDER

Quorum was established and Brent Kemple called the meeting to order at 7:03 p.m.

APPROVAL of AGENDA

Motion to approve: John Schaber
Seconded by: Brent Kemple
Motion declared carried

APPROVAL of MINUTES-March 8, 2012

Motion to approve: Wayne Getz
Seconded by: Jerel Mockenhaupt
Motion declared carried

BUSINESS ITEMS:

4a. Public Hearing Kwik Trip Rezone Request (Ordinance #555). A motion open a public hearing for the purpose to hear the rezone request from an R-1 Single Family Residential to a C-2 Service Commercial District was motioned.

Motion to open: 7:04 p.m. (John Schaber)

Seconded: **Brent Kemple**

Motion declared carried.

Chairperson Nancy Heim asked for public comment regarding the request. She asked Wade Dumond from Kwik Trip to speak first. Mr. Dumond expressed that all of the information in the staff memo was accurate. He added that the primary reason would be to update the appearance of the store. He stated that because it was only a remodel it would not qualify as a LEED certified building. He expressed that they would be removing the Hanson house immediately behind the existing Kwik Trip property. He asked for specific questions from the Commission at which time there were none.

Terry Johnson - 706 Church Avenue.

He raised concerns with the garbage, pop, rain garden, and commercial values.

Bill Heim - 707 Church Avenue

Raised concern of semi traffic and pedestrians

Melissa Zickrick – 142 East 7th

Questioned the fencing of the property. Asked about additional parking. Garbage concerns and traffic control.

Bruce Dorman asked what the small expansion was going to provide. Mr. Dumond expressed that there would be some increased sales because they would be able to offer more products.

Debbie Johnson – 706 Church Avenue.

Raised concerns about the increased traffic for pedestrian safety.

Patricia Burke – Birchwood Ct.

Asked about the two additional pumps and if a premium gas could be installed.

No other comments were heard. Chairperson Heim called three times for comment. Hearing none. She called for a motion to close the public hearing at 7:38 p.m.

Motion to close: **John Schaber**

Seconded: **Bruce Dorman**

No further discussion.

Motion carried.

The P&Z commission held discussion on the proposed rain garden. Andy Masterpole from Yaggy Colby discussed how the designed garden should drain in 48 hours and Mr. Dumond said that the rain garden would be reviewed to ensure that it would work effectively. If it were not properly working then Kwik Trip Corporation would review it and make the necessary change if deemed ineffective.

The various concerns were discussed and Chairperson Heim expressed that most of the concerns was not based on what Kwik Trip was doing, but unfortunately inconsiderate people. Clm. Getz discussed the idea of added trash receptacles further off site and he expressed his experience that people take advantage and fill them up with other garbage and make the problem worse.

The fencing material was discussed as well as added landscaping and trees to hide fence. It was discussed about potentially having an officer patrol or sit by 7th and Church Avenue to watch for the pedestrian safety.

Admin. Koverman outlined the process for the Commission and the public with respect to the next steps in the process of the rezone. He added that the proposed findings and conclusions could be adopted as written and that others could be added.

After expressing that the Commission was in consensus that the expansion would be in the best interest of the community a motion was made to rezone 636 Church Avenue from R-1 to C-2 to facilitate the Kwik Trip expansion.

Motion to approve: **Bruce Dorman**

Seconded by: **Jerel Mockenhaupt**

No further discussion.

Motion declared carried.

A motion to accept the following findings and conclusions was made.

FINDINGS AND CONCLUSIONS

WHEREAS, Zietlow Family Real Estate, applied to the City of St. Charles Planning Commission for a rezoning of the real property which it will purchase from Dave and Joanne Hanson. The real property, located at 636 Church Avenue in the City of St. Charles, Minnesota, is approximately 10,230 square feet in area, and is legally described in Exhibit A which is attached hereto and incorporated herein; and

WHEREAS, the application requested that the Subject Property which is currently zoned R-1 (Single Family Residential) be rezoned to C-2 (Service Commercial District); and

WHEREAS, the St. Charles Planning Commission heard testimony regarding the rezoning request at its meeting held on June 7, 2012 and recommended that the real property be rezoned to C-2 (Service Commercial District); and

WHEREAS, notice of this public hearing before the St. Charles Planning Commission of the City of St. Charles, Minnesota, was duly noticed pursuant to City Code §152.47;

NOW, THEREFORE, the St. Charles Planning and Zoning Commission, based upon the evidence presented at said hearing, make the following:

FINDINGS

1. That the property at issue (Subject Property) located at 636 Church Avenue in the City of St. Charles, Minnesota, is approximately 10,230 sq. ft. in area, and is legally shown and described in Exhibit A which is attached hereto and incorporated herein by reference.
2. That the Subject Property is being purchased by Zietlow Family Real Estate from Dave and Joanne Hanson and is currently zoned R-1 (Single Family Residential) and the Planning Commission has recommended rezoning the property to C-2 (Service Commercial District)
3. Given the long history of the use of the current facility and the positive relationship between the existing home owner that directly abutted the commercial property, the proposed expansion would not arbitrarily or negatively impact the neighborhood.
4. The proposed site plan accommodates for a better flow of traffic with the removal of the dumpster area and proposed relocation of the utility services.
5. The proposed plan and use would not negatively impact property values.
6. The proposed plan is the best use of the site given the crowded nature of the house and proximity to the Commercial District.

Motion to approve: **Jerel Mockenhaupt**

Seconded by: **Brent Kemple**

No further discussion.

Motion declared carried.

4b. Public Hearing Ordinance #554 C-3 Regional Commercial District. A motion to open the public hearing to take comment on the proposed C-3 Regional Commercial District ordinance was made at 8:16 p.m.

Motion to approve: **John Schaber**

Seconded by: **Jerel Mockenhaupt**

No further discussion.

Motion carried.

Chairperson Heim called for comment three times. Hearing none. She called for a motion to close the public hearing at 8:17 p.m.

Motion to close: **John Schaber**

Seconded by: **Brent Kemple**

No further discussion.

Motion carried.

A brief discussion of some of the changes by the attorney was held. In addition, Admin. Koverman expressed that a recent request was made to consider an indoor shooting range. He stated that currently code does not allow for anywhere in any of the districts, but pointed out that the new C-3 District allowed for a conditional use for firearms dealers. He referenced a discussion held with the city attorney regarding the possibility of a conditional use versus an interim use. The Commission agreed that the new C-3 district would be an appropriate area, but that any of the other commercial districts would not be a good fit in their determination. Ending discussion, a motion was made to recommend approval of the C-3 Regional Commercial District zoning to the City Council for review with the additions of the indoor shooting range.

Motion to approve: **Jerel Mockenhaupt**

Seconded by: **Brent Kemple**

No further discussion.

Motion carried.

4c. Farm2Rail presentation. Geoff Griffin was present to discuss the proposed Farm2Rail project. Mr. Griffin presented his powerpoint presentation to the Commission and highlighted discussions with the neighbors and how he was working with the County and Township to position this project. Various questions of traffic and trucks were asked.

Motion to adjourn at 9:15 p.m. by: Bruce Dorman

Seconded by: Brent Kemple

Motion declared carried.