



PLANNING COMMISSION

**ISD #15 DISTRICT OFFICE BUILDING
4115 AMBASSADOR BLVD.**

August 16, 2017

7:00 PM

AGENDA

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda
4. Approve Minutes 05/17/2017
5. Public Comment
6. Public Hearings
 - a. Interim Use Permit – Home Business Application, 23340 Redwood Ct.
 - b. Conditional Use Permit – 4020 233rd Ave, Kwik Trip
7. Regular Business Items
 - a. Acquisition of Real Property
8. Discussion by Planning Commissioners
9. Adjournment

There may be a quorum of St. Francis Council Members present at this meeting.

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
May 17, 2017**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chairman Steinke.
2. **Roll Call:** Present were Ray Steinke, Brittney Berndt, Todd Gardner, Greg Zutz, Julie Morin and William Murray. Absent: Joel Olson
3. **Adopt Agenda:** Motion by Zutz, second by Berndt, to approve the May 17, 2017 agenda. Motion carried 6-0. Passed.
4. **Approve Minutes: Corrections identified by Berndt.** Motion by Zutz, to accept minutes with identified corrections, second by Gardner, to approve the February 15, 2017 minutes. Motion carried 6-0. Passed
5. **Public Comment:** None
6. **Public Hearing:**

Preliminary Plat for 3127 235th Avenue – Wilkinson. As identified in the packet, property owner is seeking approval of a preliminary plat to authorize a division of the property. Public Notice was sent to surrounding properties, packet includes narrative and visuals that identify the property and the conditions surrounding this property.

Public Hearing Opened at 7:18 PM.

1. Tom Wilkinson, 3127 235th Avenue, questions on proposed split.
 - a. Wilkinson questioned WAC/SAC fees and if they are payable at the time of split or at the time of a building permit? It was verified that typically they are required at the time of the building permit to hook up to the utility.
 - b. Wilkinson questioned the \$2,500 park dedication fee and its applicability to this split. Steike provided a brief history on why park dedication is required. Gozola clarified its requirements and why those requirements are in place.
 - c. Wilkinson expressed there was not an issue with the easement but would look into having it moved to address the drainage/utility setbacks.

Public Hearing Closed at 7:24

Discussion:

Zutz requested clarification on the easements and title work and when those requirements would be completed. Gozola clarified that they are part of the process and would be a condition of the final plat. It was requested that that information be further clarified within the requirements.

No further Discussion, Motion Carried 6-0 Passed.

7. **Regular Business Items:**
 - a. Sale of 4201 St. Francis Blvd
 - b. Sale of 23xxx St. Francis Blvd
 - c. Proposed Survey Policy

Items a. and b. were addressed together. This step is a process requirement of the Comprehensive Plan that the Planning Commission review property sales completed by the City. Discussion in regards to the use of the properties and the proposed plans being made by the owners. The agenda report for 4201 St. Francis Blvd reflects a lot size of .076 and it should be corrected to .76.

Question was asked by Zutz as if these properties were sold with or without the use of a Realtor. Thunstrom clarified that they were sold with the use of the listing agent we contracted with last fall.

Berndt made a motion to approve the sale of properties identified in line a. and b., Second by Gardner. Motion Carried 6-0 Passed.

Item c. was presented by Gozola and the Commission was briefed on each section outlined. This is a process matter to allow the City to collect surveys when necessary with the flexibility to change a policy verses an Ordinance. Commission was asked for comment as this Policy is proposed to move to Council on June 6th.

Gardner questioned the need for a survey in an instance such as General Maintenance projects that did not extend boundaries. Gozola provided instances in which it may apply. That it would be our intent of using an existing survey and not making a new survey be created.

Morin requested that the term "staff" be clarified further as that leaves it open to broadly. Gozola expressed that the policy is intended to adhere to all staff. It was requested that the policy further define either which staff or positions may be making this decision.

8. Planning Commission Discussion:

Berndt identified that she favored the layout of the reports. Gozola discussed how each report with be the same layout and format to allow everyone the ability to easily identify what needs to be consistently.

Morin asked how neighbors are identified in cases such as the public hearing and processes we go through. Gozola identified that everyone within 350' is directly notified as part of the required process. *** It was not mentioned that public hearing notices are also posted within the local paper for all interested parties, not just neighbors***

Zutz asked if it was required within the public hearing process to identify yourself. Gozola clarified that someone could provide information anonymously if they were to call or write in prior to the public hearing.

9. Adjournment: Motion by Berndt, second by Gardner to adjourn. Motion carried 6-0. Meeting adjourned at 7:55 pm.

St. Francis Planning Commission Agenda Item
Executive Summary

Title of Item: **Rau Interim Use Permit**

Meeting Date: **8-16-17**

Staff Reporting: **Ben Gozola, City Planner**

Summary: Brent Rau is seeking an interim use permit to allow continuation of a home extended business on the property at 23340 Redwood Court NW. The business (an Orthopedic and Medical product packaging) has been in operation for approximately 5 years, but the landowner has only recently been made aware of the need for a permit.

Recommendations:

- **The Planning Commission is asked to review the IUP request, conduct a public hearing, and make a recommendation for City Council consideration.**
- **After reviewing all criteria in code, staff believes the requested interim use permit meets all criteria and can be approved *with conditions*.**

List of Attachments:

- A) *Staff Report*
- B) *Applicant Application Materials*

City of St. Francis Planning Department
Interim Use Permit Review

To: **Planning Commission**

From: Ben Gozola, City Planner

Meeting Date: **8-16-17**

Applicant(s): **Brent Rau & Beth Walker-Rau**

Location: **23340 Redwood Court NW**

Zoning: **RR – Rural Residential**

Introductory Information

Proposed Project: Brent Rau is seeking an interim use permit to allow continuation of a home extended business on the property at 23340 Redwood Court NW. The business (an Orthopedic and Medical product packaging) has been in operation for approximately 5 years, but the landowner has only recently been made aware of the need for a permit.

Findings

General Site Data:

▪ **Lot Area/Width**

R-R	Lot Area	Lot Width
Required	2.5 acres	250' (at the ROW);
Actual	2.7 acres	Well in excess of each requirement

The existing lot area and width are conforming to code.

- Existing Use – Single Family Home with an outbuilding
- Existing Zoning – R-R Rural Residential
- Property Identification Number (PID): 35-34-24-14-0009

Setbacks:

▪ **Accessory Structure to be used: location from lot lines**

R-1	Required	Existing
Front (south)	Behind the Principal Structure	≈ 192 +/-
Side (east)	25'	≈ 40' +/-



23340 Redwood Court NW



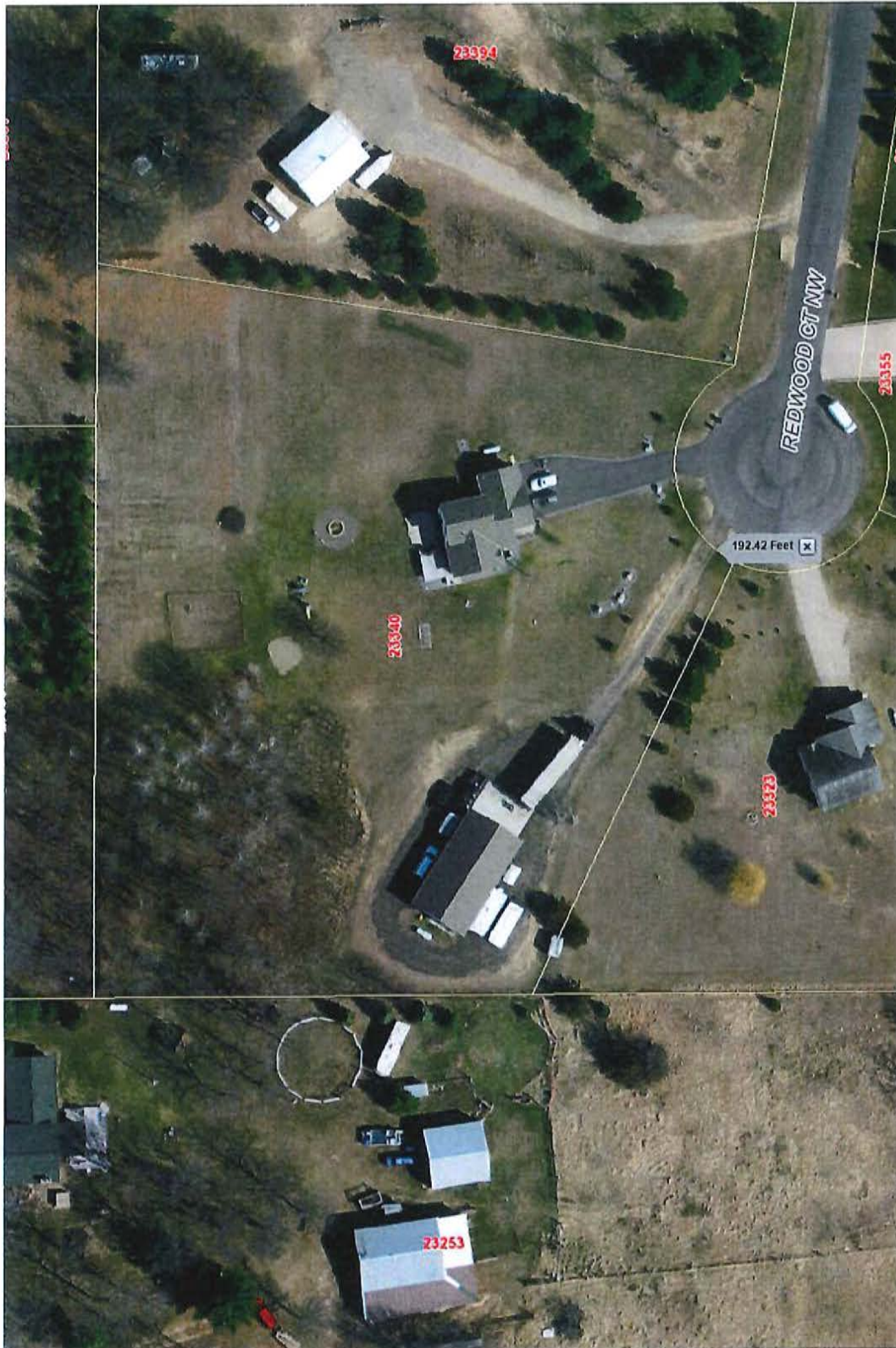
Location within the City of St Francis



SITE IDENTIFICATION MAP



2016 Aerial from Anoka County GIS



Application Review:

<i>Comp Plan Guidance:</i>	▪ A search for the terms “home-based,” “home based,” “business,” and “occupation” showed that very little on home based occupations is discussed within the comprehensive plan.
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<i>Applicable Definitions:</i>	▪ <i>HOME EXTENDED BUSINESS:</i> <i>A home occupation that allows for limited business activity in a detached accessory structure.</i> ▪ <i>HOME OCCUPATION:</i> <i>Any occupation or profession engaged in by the occupant of a residential dwelling unit, which is clearly incidental and secondary to the residential use of the premises and does not change the character of said premises.</i> ▪ <i>INTERIM USE:</i> <i>A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer allow it.</i> ▪ <i>INTERIM USE PERMIT:</i> <i>A permit issued in accordance with procedures specified in this Ordinance, as a flexible device to enable the City Council to assign time limits and conditions to a proposed use after consideration of current or future adjacent uses and their functions.</i> ▪ <i>USE, ACCESSORY:</i> <i>A use subordinate to and servicing the principal use or structure on the same lot and customarily incidental thereof.</i> ▪ <i>USE, SECONDARY:</i> <i>A use of land or of a building or a portion thereof which is subordinate to and does not constitute the primary use of the land or building.</i>
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<i>Applicable Codes:</i>	▪ Chapter 7 which outlines the administrative procedures for the review of Interim Use Permits. ▪ Section 10-21-4 which outlines the general requirements that all home occupations must meet. ▪ Section 10-21-7 which outlines the specific requirements for home occupations that seek to utilize a detached accessory building as part of the operation. ▪ Section 10-54-3 which identifies interim home occupations as an allowed interim use in the RR zoning district.
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**Applicant's
Narrative:**

The following is a summary of the proposed home occupation according to the applicant:

▪ **Regarding the potential for noise, odor, light, or other business characteristic problems:**

Our primary function consists of Orthopedic and Medical product packaging. We also aid in the development, design, and prototyping of medical devices. There is zero potential for said above characteristics.

▪ **Regarding the existing character of the area:**

The surrounding property's as well as ours are all two to five acres. Most are tree lined, landscaped and well maintained. Many homeowners have additional accessory buildings that complement their property and allow for storage of personal items, as we use ours for as well.

▪ **Regarding why the accessory building is needed:**

The size and volume of the products that we package require the need for the extra space that the accessory building provides. [The building is a] stick built building with asphalt roof and vinyl siding that matches adjacent dwelling. Concrete floor, insulated with heat and air conditioning.

▪ **Regarding how long the business is expected to continue:**

Undetermined because of our current position in a slowing market.

▪ **Regarding other pieces of information the City should be aware of when judging this request:**

Our business has been run with consideration to our neighbors and the community. We have always maintained a quiet and respectful business that has had little to no impact on the community. Having a home based business has empowered us to raise our children at home; as well as participate and be involved in their community and district events with thanks to our open and flexible schedule.

**General Home
Occupation
Requirements:**

Per Section 10-21-4, all home occupation shall adhere to the following:

- (A) No home occupation shall produce light, glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
- (B) No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.
- (C) The home occupation shall be clearly incidental and secondary to the residential use of the premises, shall not change the residential character thereof, and shall not result in an incompatibility or disturbance to surrounding residential uses.

- (cont.)
- (D) No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and State fire and police recommendations.
 - (E) There shall be no exterior storage of equipment or materials used in the home occupation, except that personal automobiles used in the home occupation may be parked on the site, provided the parking is in conformance with all outdoor storage and parking requirements found in Sections 10-16-15 and 10-19. (Ord 148, SS, 11-21-2010)
 - (F) The home occupation shall meet all applicable building and fire codes.
 - (G) No home occupation shall be conducted between the hours of ten o'clock in the evening (10:00 PM) and seven o'clock in the morning (7:00 AM) in a manner where business activity is detectable outside of the residence. (Ord 148, SS, 11-21-2010)
 - (H) All home occupations shall comply with the provisions of City Nuisance Ordinances, including noise, outdoor storage, parking, and other such standards. (Ord 148, SS, 11-21-2010)

Staff Comments:

- *Nothing in the proposal suggests there will be problems with light, glare, noise, odor, vibration, electrical interference, storage, or parking; and the fact that there are no complaints about these issues to-date suggests that will continue to be the case if the IUP is approved.*
- *No external evidence of the business was seen on a site visit, and use of the pole barn appeared secondary to the primary residence on the site.*
- *No changes to the primary dwelling are proposed.*
- *No exterior storage applicable to the business was identified during a site visit.*
- *Any approval can be conditioned upon the building inspector ensuring all building and fire codes are met by the pole barn proposed for use.*
- *Any approval can include conditions on hours of activity that could potentially be detectable outside of the pole barn.*

Staff Recommendation:

- *All general home occupation requirements appear to be met or can be met with conditions.*

***Specific Home
Extended
Business
Requirements:***

- (A) All [general home occupation standards] shall be satisfied
- (B) No more than two (2) persons other than those who customarily reside on the premises shall be employed.
- (C) All activity on the premises associated with the home extended business shall not cause any adverse changes to the residential character of the neighborhood.
- (D) Any exterior changes necessary to conduct the home extended business are sufficiently screened, properly designed, or separated by distance so as to be consistent with the existing adjacent residential uses and compatible with the residential occupancy.
- (E) Any interior changes necessary to conduct the home extended business shall comply with all building, electrical, mechanical and fire codes governing the use of the use in a residential occupancy.
- (F) Traffic generated by the home extended business shall involve vehicles types and volumes that typically associated with single family residences and that such traffic does not constitute a nuisance or safety hazard.
- (G) Signs associated with the interim home occupation shall be in accordance with Chapter 42 of this Ordinance.
- (H) On parcels greater than 5 (five) acres in size, small engine and appliance repair may be conducted, provided the applicant can sufficiently limit noise and other potential disturbances, and the detached accessory building is in a location that will not allow for likely disturbances to neighboring residences.
- (I) Any wholesale or retail sales must be incidental to the home occupation or low volume sales restricted by appointment.

Staff Comments:

- *The business does not utilize outside employees, and only the two primary family members are employed by the business.*
- *No external evidence of the business was seen on a site visit, and use of the pole barn appeared to be consistent with similar buildings throughout the neighborhood.*
- *No changes to the accessory building, both internal and external, are proposed in conjunction with this permit request.*
- *Per the applicant, only typical deliveries to the property occur (i.e. FedEx or UPS) and the business does not generate an unusual number of trips from a residential property.*
- *There were no signs visible on the property and no signs are proposed.*

(cont.)

- On-site sales do not occur as part of this business.

Staff Recommendation:

All specific home extended business requirements appear to be met or can be met with conditions.

IUP RECOMMENDATION: After reviewing all criteria in code, staff believes the requested interim use permit meets all criteria to be approved with conditions.

**Resident
Concerns:**

- The only complaint that staff has received regarding this property is that a business was running without the necessary permit. No additional concerns regarding noise, activity, deliveries, etc, were noted by the complaining party.

**Additional
Information:**

- none

Conclusion:

The applicant is seeking approval of an interim use permit to allow continuation of a home extended business on the property at 23340 Redwood Court NW.

Options:

The Planning Commission has the following options:

- A) RECOMMEND APPROVAL OF THE REQUESTED INTERIM USE PERMIT (based on the applicant's submittals and findings of fact).
- B) RECOMMEND DENIAL OF THE REQUESTED INTERIM USE PERMIT (based on the applicant's submittals and findings of fact).
- C) TABLE THE ITEM and request additional information.

- Based on an application date of 6-21-17, the 60-day review period for this application expires on 8-20-16. Because the deadline could not be met by the City Council, the deadline was administratively extended by staff an additional 60-day to 10-19-17.

**IUP Template
Denial Motion:**

(Not Recommended)

- "I move to recommend **denial** of the requested interim use permit amendment based on the following findings of fact:"

(provide findings to support your conclusion)

***IUP Template
Approval Motion:
(RECOMMENDED)***

- “I move to recommend **approval** of the requested interim use permit amendment based on the findings of fact as listed on page 9 of the staff report, and subject to the conditions on pages 9 & 10 as may have been amended here tonight.”
- FINDINGS OF FACT:
 - *The business has been operating for approximately five (5) years with no records of nuisance related complaints, and no changes to the operation are proposed as a result of obtaining the IUP;*
 - *No external evidence of the business is apparent from the street, and no changes to the appearance of the accessory structure or home are proposed;*
 - *No internal changes to the accessory structure are proposed in conjunction with this permit request.*
 - *No exterior storage applicable to the business is proposed;*
 - *The business does not employ more than two people, and both people reside on the premises;*
 - *No deliveries beyond typical residential deliveries (i.e. one per day per service) will occur in conjunction with the business;*
 - *No signs for the business exist, and no signs are proposed;*
 - *On-site sales do not occur as part of this business.*

***Recommended
Conditions:***

1. *The building inspector shall inspect the accessory structure to ensure all applicable building and fire codes are met.*
2. *Business related activity that is detectable from surrounding property shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.*
3. *The applicant shall sign a consent agreement from the City of St. Francis agreeing:*
 - a. *That the applicant, owner, operator, tenant and/or user has no entitlement to future re-approvals of the Interim Use Permit;*
 - b. *That the interim use will not impose additional cost on the public if it is necessary for the public to fully or partially take the property in the future; and*
 - c. *That the applicant, owner, operator, tenant and/or user will abide by conditions of approval attached to the Interim Use Permit.*
4. *The interim use permit shall expire upon discontinuation of the business for more than three months, or sale of the property to a new owner.*

- (cont.) 5. *The interim use shall expire upon violation of the conditions of the IUP, upon a change in zoning regulations which renders the use nonconforming, or upon a change in City regulations which renders the use either a permitted or conditionally permitted use in the applicable zoning district for the property.*

JUN 21 2017

City of St. Francis
23340 Cree Street NW
St. Francis, MN 55070

Application Date:

Fee:

Escrow:

HOME OCCUPATION PERMIT APPLICATION

LOCATION OF HOME OCCUPATION	ADDRESS: 23340 REDWOOD CT NW.		PARCEL ID #:
APPLICANT INFORMATION	NAME: BRENT RAU		
	ADDRESS: 23340 REDWOOD CT. NW		
	CITY: ST. FRANCIS	STATE: MN	ZIP:
	PHONE: 612-805-3131	EMAIL: Brent@Raucon.net	
	DO YOU OWN OR RENT: ☒ OWN ☐ RENT		
PROPERTY OWNER (if different than applicant)	NAME:		
	ADDRESS:		
	CITY:	STATE:	ZIP:
	PHONE:	EMAIL:	

Applicant to complete

City

Please Answer the Following Questions

Permitted

IUP

1. Description of the home occupation proposed:

(Include: What is the potential for noise, odor, light or other business characteristics?)

Our primary function consists of Orthopedic and Medical Product packaging. We also aid in the development, design and prototyping of medical devices.

There is zero potential for said above characteristics.

2. Describe the character of the existing surrounding property:

Permitted

IUP

The surrounding property as well as ours are all two to five acres. Most are tree lined, landscaped and well maintained. Many homeowners have additional accessory buildings that complement their property and allow for storage of personal items, as we use ours for as well.

3. Who will be employed in this occupation?

Permitted

IUP

Brent Rau
Beth Walker-Rau

X

4. Are there to be any person(s) employed who do not live at the address of the occupation listed in the application?

Permitted

IUP

Yes

No

If YES, number of persons:

X

5. How many customers will be served at one time?

Permitted

IUP

0

X

6. What are the intended days and hours of this occupation?

Permitted

IUP

9-5 M-F

X

7. Is there service to the public?

NO

Permitted

IUP

If YES, describe type and or process:

X

8. Do you intend to have a sign? <u>NO</u> If YES, describe site and provide location on a site plan: _____ _____ _____ _____	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td>X</td> <td></td> </tr> </table>	Permitted	IUP	X		<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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X										
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9. Do you have off-street parking available? <u>NO</u> If YES, describe location, capacity and surface type: _____ _____ _____ _____	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td>X</td> <td></td> </tr> </table>	Permitted	IUP	X		<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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10. Will there be a need to use City streets for parking? <u>NO</u> If YES, explain: _____ _____	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td>X</td> <td></td> </tr> </table>	Permitted	IUP	X		<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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11. Will the occupation require the use of an accessory building? <u>YES</u> If YES, describe the reason for the use of the accessory building: <u>The size and volume of the products that we package require the need for the extra space that the accessory building provides.</u> Describe the facility in detail: <u>Stick built building with asphalt roof and vinyl siding that matches adjacent dwelling. Concrete floor, insulated with heat and air conditioning.</u>	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP			<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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12. Will the home occupation involve any equipment not normally found in a dwelling unit? <u>NO</u> If YES, describe the equipment in detail: _____ _____ _____ _____	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP			<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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13. Will the occupation involve the sale of merchandise over-the-counter that is produced off the premise? <u>NO</u> If YES, describe merchandise to be sold. _____ _____ _____ _____	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP			<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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14. How long do you anticipate the occupation will carry on at this address? <u>Undetermined because of our current position in a slowing market.</u>	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP			<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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15. How much of an investment in the premise is required for this occupation? <u>NONE</u>	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP			<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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Does this include any alterations, interior or exterior? <u>NO</u>										
16. Are there any license or permits that are required from any other governmental agencies to legally conduct this occupation? <u>NO</u> If YES, list the licenses or permits: _____ _____ _____ _____ _____	<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP			<table border="1"> <tr> <th>Permitted</th> <th>IUP</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Permitted	IUP		
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17. Is there any additional information regarding this application and

occupation that you believe the City should be aware of when considering this application?

Permitted

IUP

Our business has been run with consideration to our neighbors and the community. We have always maintained a quiet and respectful business that has had little to no impact on the community. Having a home based business has empowered us to raise our children at home; as well as participate and be involved in their community and district events with thanks to our open and flexible schedule.

Required Attachment to meet the needs of an IUP Application:

Site Plan, A scalable site plan, no larger than 11"X17", must be submitted which identifies the following:

- Identification of sale location on site, if outside of primary structure
- Parking stalls and drive aisles
- Placement and size of any signs

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge. I further understand that the IUP application will be processed in accordance with the established City review procedures and Minnesota Statutes 15.99 as amended, at such times as it is determined to be complete. Pursuant to Minnesota Statutes 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as required by the City may be cause for denying this application.

By signing this application I declare that all of the information provided to the City of St. Francis on this application, or as part thereof, is true and accurate to the best of my knowledge.

Brent Racz

Print Name

[Signature]

Signature of Applicant

6/21/2017

Date

Signature of Owner (if different than Applicant)

Date

APPROVALS:

Planning & Zoning: _____

Date: _____

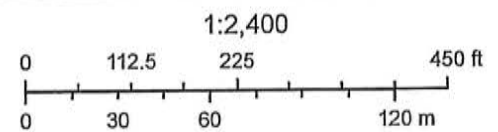
Building Official: _____

Date: _____

Anoka County, MN



June 21, 2017



July 25, 2017

Brent Rau
23340 Redwood Court NW
St Francis, MN 55070

RE: 60-Day Rule Extension

Mr. Rau,

On June 21st, the City of St. Francis received your application for an interim use permit to allow your Orthopedic and Medical packaging business to operate out of your accessory structure as a home extended business. As you know in processing your application, we were unable to publish a public notice in time to hold the public hearing in July, so we are now on-track to have your item discussed by the Planning Commission at their upcoming meeting on August 16th, and heard by the City Council at their meeting in early September.

By state statute, the City is required to take action on your request within 60-days of your application date. If more time is needed, a City is allowed to extend the review period an additional 60 days. The submission of your application on June 21st, 2017, means the City's initial 60-day window will expire on August 20, 2017. As the City Council will not be able to see your request until September, the City must now exercise its option to extend our review period out an additional 60 days. While technically this means the final decision due date is October 19th, 2017, we intend to diligently pursue your application and complete our work as quickly as possible.

Please plan on attending the upcoming Planning Commission and City Council meetings to address any questions that may arise. Both meetings will take place at the ISD #15 District Office located at 4115 Ambassador Blvd. Please call me (952-217-0252) if you have any questions.

Sincerely,



Ben Gozola
City Planner

CC: Kate Thunstrom

City of St Francis Planning Commission Agenda Item
Executive Summary

Title of Item: **CONDITIONAL USE PERMIT:** A request from Kwik Trip to construct a new automotive fueling station at 4020 233rd Avenue NW – B-2 (General Commercial) zoning – PIDs 31-34-24-14-0022 & 31-34-24-14-0023

Meeting Date: **8-16-17**

Staff Reporting: **Ben Gozola, City Planner**

Summary: The applicant is proposing to demo the old Oasis Gas Station and Car Wash to construct a new motor fueling station. The comprehensive plan and zoning code support this use at the proposed location, and the plans have been shown to meet City standards provided a number of conditions of approval are followed.

Recommendations:

- **Staff believes the CUP can be approved with conditions.**
- **Template motions, recommended findings, and suggested conditions can be found on pages 12-14**

List of Attachments:

- A) *Staff Report*
- B) *Engineering Memo*
- C) *Traffic Study Executive Summary*
- D) *Applicant's submittals*

City of St. Francis Planning Department
CUP Report

To: **Planning Commission**
From: Ben Gozola, City Planner
Meeting Date: **8-16-17**
Applicant: **Kwik Trip**
Property Owner: MDW Equity LLC
Location: 4020 233rd Avenue NW
Zoning: **B-2: General Commercial**

Introductory Information

Project: The applicant is proposing to demo the old Oasis Gas Station and Car Wash to construct a new motor fueling station.

CUP Request(s): The application is requesting a conditional use permit for a motor fueling station at 4020 233rd Avenue NW.

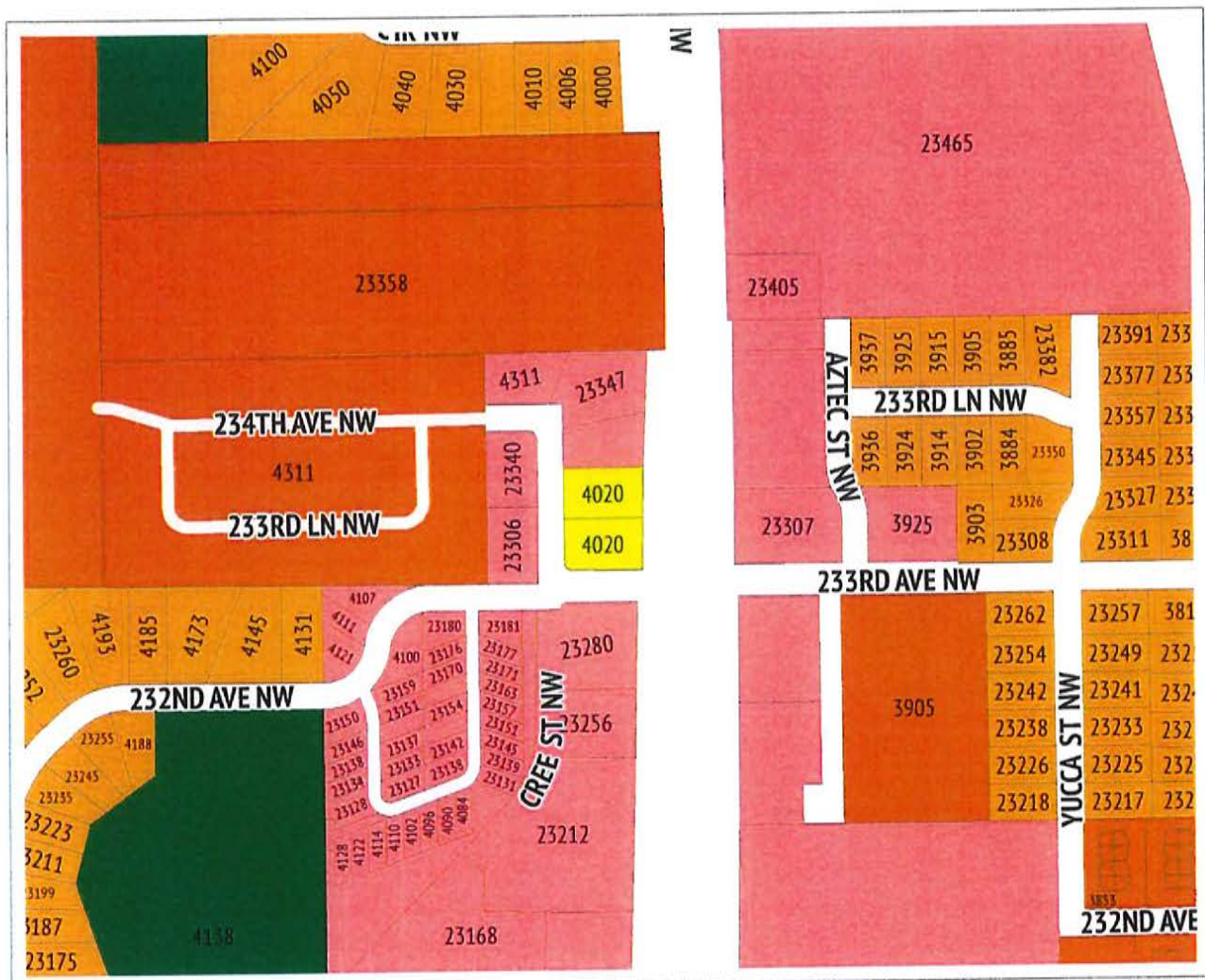
Findings

Site Data:

- Lot Size $\approx$ 0.95 acres (currently split between two parcels being combined concurrently with this CUP request)
- Existing Use – Commercial land (vacant – closed gas station & car wash)
- Existing Zoning – B-2
- Property Identification Numbers (PIDs): 31-34-24-14-0022 & 31-34-24-14-0023

Comp Plan Guidance:

- The comprehensive plan guides this lot for Commercial use.
- The corresponding zoning assigned to this property (B-2) allows a motor fuel station as a conditionally permitted use.



4020 233rd Avenue NW



Location within the City of St Francis



SITE IDENTIFICATION MAP



Application Review:

Applicable Code Definitions:

COMMERCIAL USE, AUTOMOBILE SERVICE STATION: Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar accessories.

CONDITIONAL USE: A use which, because of special problems of control the use presents, requires reasonable, but special, unusual and extraordinary limitations peculiar to the use for the protection of the public welfare and the integrity of the City Comprehensive Plan.

CONDITIONAL USE PERMIT: A permit issued by the City Council in accordance with procedures specified in this Ordinance, as a flexibility device to enable the City Council to assign dimensions to a proposed use or conditions surrounding it after consideration of adjacent uses and their functions and the special problems which the proposed use presents.

BUSINESS: Any establishment, occupation, employment or enterprise where merchandise is manufactured, exhibited or sold, or where services are offered for compensation.

CANOPY: An accessory roof-like structure, which is either attached to or detached from an allowable primary building; which is open on all sides, other than where attached; and, which is located over and designed to provide cover for entrances, exits, walkways, and approved off-street vehicle service areas.

LOADING SPACE (OFF-STREET): A formally delineated space, area, or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a vehicle or truck while loading or unloading merchandise or materials.

MOTOR FUEL STATION: A place where gasoline is stored only in underground tanks, kerosene or motor oil and lubricants or grease, for operation of automobiles, are retailed directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.

PARKING SPACE: An area enclosed in the principal building, in an accessory building, or unenclosed, sufficient in size to store one motor vehicle, which has adequate access to a public or private street, alley or driveway permitting satisfactory ingress and egress of such motor vehicle.

SIGN AREA. That area within the marginal lines of the surface which bears the advertisement, or in the case of messages, figures, or symbols attached directly to any part of any building, that area which is included in the smallest rectangle which can be made to circumscribe the message, figure or symbol displayed thereon. The stipulated maximum sign area for a free standing sign refers to a single facing.

SIGN, BUSINESS. Sign identifying a business or group of businesses, either retail or wholesale, or any sign identifying a profession or used in the identification or promotion of any principal commodity or service, including entertainment, offered or sold upon the premises where the sign is located.

Applicable Codes:	▪ Chapter 10, Section 6: <u>Conditional Use Permits</u> Outlines the general standards required of all conditionally permitted uses within the City of St. Francis. ▪ Chapter 10, Section 63: <u>B-2 Central Business District</u> Outlines allowed uses within the B-2 zoning district. Motor fueling stations are listed as a conditionally permitted use. ▪ Chapter 10, Section 19, Subsection 9: <u>Parking Supply Requirements</u> Requires that Motor Fuel Stations provide one parking (1) space per pump plus one (1) space per employee on the largest work shift. With convenience grocery; include one (1) space per one hundred (100) square feet of floor area. Parking areas at pump islands are allowed to be counted as parking spaces.
Applicant's Project Description:	▪ With regards to the proposed use: "The proposed use of the property is to construct a Convenience store (motor fueling station). The proposed convenience store would have 16 fueling points under the main canopy South of store and 1 diesel for trucks North of the store. The building footprint is approx. 7,000 SF with 3630 SF of interior retail area. ✓ B-2 zoning requires motor fueling stations to be approved as a conditional use. ✓ Hours of operation: store open 24hrs a day, 7 days a week. ✓ Duration of the proposed use is indefinite ✓ Termination of the use would only occur upon sale" ▪ With regards to how the CUP fits the City's Comprehensive Plan: "A Kwik Trip convenience store located in this commercial area fits in the conditional use of this area. Kwik Trip builds and operates an aesthetically pleasing, clean convenience store that would be a great addition to the City of St. Francis at this location. ▪ With regards to impacts on water resources/ surface waters: "The proposed site plan will change the percent of impervious area from existing of 42% to a proposed condition of 80%. The stormwater rate would be controlled with underground storage and would reduce the existing runoff of 7.31 cfs to 7.11 cfs (100 yr runoff). All existing and proposed conditions along with the calculations are included in the Storm water Management Calculations document." ▪ With regards to grading and erosion: "It is estimated that 1.4 Acres will be graded, the amount of soil to be move in preliminary calculations is anticipated to be very close to a balance with minimal fill or export required. No steep slopes or highly erodible soils are anticipated. An erosion control plan is included as part of the submittal and is shown on sheets SWP1-4."

- (cont.)
- **With regards to parks, trails, or other unique resources:** "The project site is adjacent to Hwy 47 which has a multiuse trail that runs along the East edge of the property. Accommodations to provide access to the trail will be included."
 - **With regards to other additional information that would be helpful to the City in reviewing this application:** "The parking requirements for a Motor Fuel Station are one space per one hundred square feet of floor area. That comes out to be 37 required parking spaces and the current proposal and 22 marked spaces, 16 under the gas canopy and 2 at the diesel for a total of 40 parking spaces."
The signing requirements allow one freestanding sign of 80 square feet. Kwik Trips proposed sign has an ID cabinet of 36 sq ft, a message area of 29.15 sq feet and a price cabinet of 52 sq ft. The price cabinet is required for a motor fueling station by law and the area is not typically included in the sign area allowed. That would put the sign at 65.15 sq ft. which is within the allowed area.
The landscape plan included is very attractive and has salt tolerant plantings that have been proven to be very hardy while providing a visually pleasing site."
 - **With regards to all review criteria:** "Kwik Trip believes that the proposed site plan meets the requirements of the city code and is looking forward to being a partner with the City of St. Francis."

**Motor Fuel
Station
Standards:**

- There are no specific CUP standards listed in code for this type of conditionally permitted use. All general CUP standards will therefore be our guiding review criteria.

**CUP Standards
Review:**

Issuance of a CUP requires an analysis of the proposed use against the specific review criteria established in code. Staff has reviewed the City's criteria for conditionally permitted uses, and we offer the following analysis for consideration:

General review Criteria (10-6-3):

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Official City Comprehensive Plan.*

Staff Comment: The city's Comprehensive Plan calls for the properties in question to be used for Commercial purposes. **Criteria met.**

2. *The proposed use is or will be compatible with present and future land uses of the area.*

Staff Comment: The site is the former home to the Oasis Market fueling station and car wash, so redevelopment of this site into a new Kwik Trip facility will be consistent with past uses on the site. Furthermore, like surrounding uses, the proposed motor fueling station is a specifically allowed use within the B-2 zoning district. Provided all recommended site design standards are implemented per the

(cont.)

provided traffic study, we find the proposed use will be compatible with both present and future land uses. **Criteria met.**

3. *The proposed use conforms with all performance standards contained in this Ordinance.*

Staff Comment: The following is a summary of the various performance standards listed in code (see section 10-6-4):

- a) *The use and the site in question shall be served by a street of sufficient capacity to accommodate the type and volume of traffic which would be generated and adequate right of way shall be provided.*

Staff Comment: The applicants were required to complete a traffic study of the proposed use and submit such as a component of the CUP application (the executive summary is provided as an attachment to this report). The traffic study showed that construction of the new Kwik Trip will not warrant a traffic signal on Highway 47, and that operation of the intersection both before and after the proposed development is within the safety expectations of similar two-way stop intersections and does not deviate from statewide trends.

With regards to the capacity of the intersection, the traffic model showed queuing will never exceed the unreasonable 95th Percentile Queue for this type of intersection, and that the intersection level of service will be excellent throughout the day except for a very short period in the P.M. peak hour (such backups are only anticipated to occur during less than five percent of the total PM peak hour). **Criteria met.**

- b) *The site design for access and parking shall minimize internal as well as external traffic conflicts and shall be in compliance with Chapter 19 of this Ordinance.*

Staff Comment:

- Site Access – The proposed site access off of 233rd Avenue was also examined by the traffic study as the existing access point is in relatively close proximity to both TH 47 and Cree Street. The study is recommending that the existing access point on 233rd be restricted to an Enter Only access (thereby prohibiting traffic from exiting the site at that location) Such an improvement would provide the best balance of safe operation and efficient site circulation. The plans as proposed follow this recommendation. All traffic exiting the site would utilize the Cree Street access points.
- Internal Traffic Flow & Conflicts – The City Engineer has reviewed the plans and did not find any issues of note regarding internal traffic flows and/or conflicts. It was noted, however, that the Intersection Control Evaluation report needs to be certified by the preparer. Staff is suggesting such as a condition of approval should this application move forward.

(cont.)

- Parking – Based on the proposed site plan, a total of 40 parking spaces must be provided to meet code requirements (3630 sq ft of interior retail = minimum 36 spaces + 4 pump areas = minimum 4 spaces). The plan as proposed includes 38 defined spaces, but the layout could accommodate up additional spaces on the periphery of the site. As we do not anticipate the use will generate the need for more parking that is proposed, staff is recommending approval of the proposed parking plan as a component of the CUP [allowed via the proof of parking provisions in 10-19-7(b)].
- Parking Setbacks – All proposed parking spaces meet required setbacks for such in the B-2 zoning district.

Criteria met.

- c) *If applicable, a pedestrian circulation system shall be clearly defined and appropriate provisions made to protect such areas from encroachment by parked or moving vehicles.*

Staff Comment: Adequate parking spaces are located adjacent to the main entrance and fueling points to provide customers with safe ingress/egress to the main building. The spaces on the far side of the fueling lot are anticipated to be used primarily by staff. We are not recommending special pedestrian accommodations from these rear spaces given the infrequent use they'll receive and the fact that there is nothing unique to navigating the proposed parking lot that doesn't exist at most destinations. **Criteria met.**

- d) *Adequate off-street parking and off-street loading shall be provided in compliance with Chapter 19 of this Ordinance.*

Staff Comment: As previously noted, the site may be approved for adequately meeting parking requirements as designed. No off-street loading docks are required given the size of the proposed facility, but the design adequately takes into consideration how deliveries, will be made, how waste will be handled, etc. **Criteria met.**

- e) *Loading areas and drive-up facilities shall be positioned so as to minimize internal site access problems and maneuvering conflicts, to avoid visual or noise impacts on any adjacent residential use or district, and provided in compliance with Chapter 19 of this Ordinance.*

Staff Comment: The loading and waste management areas of the building are located in the NE corner adjacent to the Highway and commercially zoned property to the north. We do not anticipate any problems with site access, on-site maneuvering, or nuisances as a result of the design. **Criteria met.**

(cont.)

- f) *Whenever a non-residential use is adjacent to a residential use or district, a buffer area with screening and landscaping shall be provided in compliance with Chapter 20 of this Ordinance.*

Staff Comment: This site is only adjacent to other commercially zoned properties. No residential screening is required. **Criteria met.**

- g) *General site screening and landscaping shall be provided in compliance with Chapter 20 of this Ordinance.*

Staff Comment: The provided plan sets includes the plating of six (6) over story trees, eight (8) evergreen trees, eighty-nine (89) shrubs, ten (10) perennials, and fifty-six (56) natural grasses. The noted species on the landscaping plan are either specifically listed in code or have been deemed appropriately similar to allowed species by staff, so we have no issues with the planting plan as designed.

Per code, the minimum number of caliper inches of trees to be planted is 23 caliper inches ($7298 \text{ sq ft} / 320 = 22.8 = 23$ caliper inches). Four foot tall evergreens are equivalent to two (2) caliper inches. Based on the submitted site plan, the site design is providing approximately 28.5 caliper inches, and the mix of deciduous and coniferous trees meets City standards. **Criteria met.**

- h) *All exterior lighting shall be so directed so as not to cast glare toward or onto the public right of way or neighboring residential uses or districts, and shall be in compliance with Section 10-16-8 of this Ordinance.*

Staff Comment: The provided plan sets includes a photometric plan that shows lighting will never exceed 0.4 foot candles on adjacent property at the shared property line, nor will it exceed one (1) foot candle from the centerline of adjacent streets. This plan is in compliance with City standards.

Regarding the proposed fixtures, code requires they all contain a cut-off to direct light at an angle of 90 degrees or less downward, and free-standing fixtures are not to exceed 25' in height. While height appears to be met, staff questions whether the proposed fixtures have the proper cut off. Staff is recommending that engineering review the design to ensure code requirements are being met, and that changes to the design (if needed) be implemented at the time of building permit application. **Criteria met with conditions.**

- i) *Potential exterior noise generated by the use shall be identified and mitigation measures, as may be necessary, shall be imposed to ensure compliance with Section 10-16-12 of this Ordinance.*

Staff Comment: Staff does not anticipate any problems with exterior noise as a result of the proposed use. **Criteria met.**

(cont.)

- j) *The site drainage system shall be subject to the review and approval of the City Engineer.*

The City Engineer fully reviewed the proposed stormwater management plan provided by the applicant (see the attached memo), and did not identify any issues that would preclude this application from moving forward. Main points from the memo to call out include:

- Fueling stations mandate that infiltration of stormwater is prohibited, and no infiltration is proposed.
- Standards for the proposed underground storage of stormwater must be met.
- An NPDES Construction Permit from the MPCA will need to be obtained.
- Post-development runoff rates will be less than existing run-off rates if this project moves forward.

- k) *The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing or potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.*

Staff Comment: The proposed building incorporates high-quality materials throughout in conformance with the requirements of code. All faces of the building are also treated consistently providing a desirable look for the property from any direction. **Criteria met.**

- l) *All signs and informational or visual communication devices shall be in compliance with Chapter 23 of this Ordinance.*

Staff Comment: The applicants provided a complete signage plan for the site which is in conformance to the City's minimum standards. Per the plan,

- Max height is met (no sign exceeds 25' in height)
- Up to four directional signs are allowed on the site, and three (3) are proposed. All three will be double sided which is permitted by code.
- Directional signs as proposed currently exceed the size maximum (2 sq ft) and will need to be reduced in size before a permit will be issued.
- Main freestanding sign will need to be relocated at least 25 feet from the proposed entry point, 25 feet from the intersection of Hwy 47 & 233rd, and at least 10 feet from the highway ROW. This can be completed as part of the sign permit & building permit application process.
- Total allowable area on a freestanding sign is 80 square feet, and per the definition, that is a per-side allowance. The 40 square foot electronic message board sign plus the 36 square foot Business Name ID cabinet complies with the City standard.

(cont.)

- The 52 square foot price cabinet on the freestanding sign and the roughly 20 square foot price board on the Auto Gas canopy are both being treated as informational signs which do not count towards the allowed sign maximum.
- The signage on the two canopies are being treated as a permanent banner sign, and both are well below 100 square feet in size on each canopy.
- The main Kwik Trip sign above the store's entrance is approximately 24 square feet in size which is not greater than 15% of the southern facing wall area.

Criteria met.

- m) *The use and site shall be in compliance with any Federal, State or County law or regulation that is applicable and any related permits shall be obtained and documented to the City.*

Staff Comment: Staff would recommend that any approval of this CUP be conditioned on successfully adherence to all applicable governmental regulations and obtaining of all necessary permits to authorize construction and establishment of the use. **Criteria met.**

- n) *Any applicable business licenses mandated by the City Code are approved and obtained.*

Staff Comment: Staff would recommend that any approval of this CUP be conditioned on successful acquisition of any needed business licenses mandated by City Code. **Criteria met.**

- o) *The hours of operation may be restricted when there is judged to be an incompatibility with a residential use or district.*

Staff Comment: Given the site's location adjacent to the highway and surrounded by commercial uses and commercially zoned property, staff does not see any incompatibilities with surrounding land uses necessitating a restriction on hours of operation. As proposed, this is intended to be a 24-hour facility. **Criteria met.**

- p) *The use complies with all applicable performance standards of the zoning district in which it is located and where applicable, any non-conformities shall be eliminated.*

Staff Comment: All existing structures and possible nonconformities are being eliminated as a result of this new conditionally permitted use. Regarding B-2 performance standards, all setbacks, lot minimums, height, and impervious surface standards are being met. **Criteria met.**

(cont.)

q) *All additional conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying or expanding the conditions set forth herein.*

Staff Comment: As a condition of approval, the applicant shall be put on notice that modifications or expansion to conditions for public safety or public betterment may be considered by Council at a future date. **Criteria met.**

4. *The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.*

Staff Comment: The City Engineer fully reviewed the sewer and water system serving this site, and there will be no problem serving the site with existing infrastructure. The City Engineer's memo (attached) includes a number of things that must be addressed by the applicant moving forward, but all such issues can be addressed as a condition of CUP approval should this move forward. With regards to police and fire services, this new use will not generate any unusual burdens on such services. **Criteria met.**

5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

Staff Comment: The provided traffic study shows the area roadways are more than capable to handle the anticipated traffic to and from this site. **Criteria met.**

**Additional
Information:**

- MnDOT has been provided with the development plans and has been asked to provide feedback as quickly as possible. Due to the late date of application, we were unable to acquire MnDOT feedback prior to the Planning Commission meeting, but it should be in hand prior to City Council review. Staff would recommend the Commission make any recommendation of approval conditioned on all MnDOT comments being satisfied by the final site plan.
- Site Plan 1.1 Keynotes suggests there will be an electric car charger on site, but no corresponding notation is shown on the plans.
- Completion of this development will also require the approval of an administrative subdivision to combine the two lots currently owned by the applicant. Per the City's subdivision codes, this is an administrative process that is running concurrently with the CUP application. As a condition of any approval, staff suggests the CUP be contingent on the applicant finalizing and following through on any conditions of approval placed on the administrative subdivision.
- A notable behind the scenes issue that will be dealt with at a later time should this move forward is the need to relocate a water line that currently runs through the property. This will also require the vacation of the existing drainage and utility easement current over the pipe. A financial surety to cover issues associated with this water main and easement will be required prior to the vacation of the easement.

Engineering Review: ▪ An Engineering review memo of the proposed plans was penned by Hakanson Anderson and is attached to this report.

Public Comment: ▪ Staff has not received any feedback from surrounding property owners as of 8/8/17.

Conclusion:

The applicant is proposing to demo the old Oasis Gas Station and Car Wash at 4020 233rd Avenue NW to construct a new Kwik Trip motor fueling station.

Recommendation: APPROVAL with conditions

Commission Options:

The Planning Commission has the following options:

- A) RECOMMEND APPROVAL OF THE REQUEST based on the applicant's submittals and findings of fact.
- B) RECOMMEND DENIAL OF THE REQUEST based on the applicant's submittals and findings of fact.
- C) TABLE THE ITEM and request additional information.

- Based on an application date of 07/28/2017, the 60-day review period for this application expires on 09/26/2017. This deadline can be extended an additional 60 days if more time is necessary.

Template Denial Motion:

(not recommended)

- "I move that we recommend the City Council deny the requested conditional use permit based on the following findings of fact:"
 - *(provide findings to support your conclusion)*

Template Approval Motion:

RECOMMENDED

- "I move we recommend the City Council approve the requested conditional use permit based on the findings of fact listed on pages 12 & 13 of the report. Furthermore, the approval shall include the conditions listed on page 13 & 14 in the staff report as may have been amended here tonight."

Suggested Findings of Fact:

1. The subject site is guided for commercial use, and motor fueling station is a conditionally permitted use within the B-2 zoning district.
2. The proposed site is surrounded by other commercial uses, and the proposed motor fueling station will be compatible with present and future uses of land in the area.

- (cont.)
3. The provided traffic study demonstrates that no unusual traffic issues will result from the proposed use, and no special accommodations will be needed on adjacent roads or intersections.
 4. The site design minimizes internal and external traffic conflicts in as much as possible for this type of use.
 5. Proposed parking has been deemed to be adequate for the configuration of this specific use, and is consistent with the City's minimum parking standards when proof of parking is considered.
 6. All proposed buildings and parking spaces meet required setbacks.
 7. Proposed landscaping materials are acceptable, and the planting plan is in conformance with City standards.
 8. Proposed lighting will not cast glare onto the public right-of-way or adjacent property in a manner that is inconsistent with code.
 9. The proposed building materials to be used are of high quality and are consistent with City standards.
 10. The proposed signage plan is consistent with City standards for non-residential uses.
 11. Impervious surfaces on the site will not exceed the 80% maximum for a property in the B-2 zoning district.
 12. Stormwater plans are in conformity with local standards, and post-development runoff rates will be less than existing run-off rates once the project is complete.
 13. The proposed use can be adequately served by the City's sewer and water infrastructure, and will not be a burden on city services.

**Recommended
Conditions:**

1. Prior to any building permits being issued, the applicant shall successfully finalize an administrative subdivision or a re-plat of all lots to establish the full project site as represented in the CUP application.
2. Construction shall be consistent with all plans approved as part of this conditional use permit except as required to be updated by City Staff to conform to conditions of approval.
3. All changes requested by the City Engineer in their review memo dated 8/9/17 shall be implemented on the final plans prior to permits being issued.
4. The provided Intersection Control Evaluation report shall be certified by the preparer.

- (cont.)
5. Minor updates to the approved plans to avoid encroachment(s) into final drainage and utility easements, meet required setbacks, or to improve the site design shall be worked out with City Staff (i.e. final sign placements) during the permitting process.
 6. An NPDES Construction Permit from the MPCA shall be obtained by the applicant.
 7. The existing entrance point off of 233rd Avenue shall be restricted to an Enter Only access meeting all standards as may be required by the City Engineer.
 8. All exterior lighting shall include cut-offs to direct light at an angle of 90 degrees or less downward.
 9. On-site directional signs shall be reduced in size to conform with the two (2) square foot maximum prior to approval of a sign permit and eventual installation.
 10. The main freestanding sign shall be relocated at least 25 feet from the proposed entry point, 25 feet from the intersection of Hwy 47 & 233rd, and at least 10 feet from the highway ROW.
 11. The property owner shall adhere to all applicable governmental regulations, secure all necessary licenses, and shall obtain all necessary permits to authorize construction and establishment of the proposed use.
 12. All final plan sheets shall be certified by the professional that prepared each plan.
 13. The applicant shall recognize that modifications or expansion to conditions for public safety or public betterment may be considered by Council at a future date.

cc: Nate Byom, Applicant Representative
Paul Jung, MnDOT

Attachments: Traffic Study Executive Summary
Hakanson Anderson Memo



**ENGINEERING REVIEW
for the City of St. Francis
by
Hakanson Anderson**

Submitted to: City of St. Francis

cc: Joe Kohlmann, City Administrator
Benjamin Gonzola, City Planner
Kate Thunstrom, Community Development Director
Nate Byom, Kwik Trip (Applicant)

Reviewed by: Craig Jochum, City Engineer
Shane Nelson, Assistant City Engineer

Date: August 9, 2017

Proposed Project: Kwik Trip

Street Location: 4020 233rd Avenue

Applicant: Nate Byom, Kwik Trip

Owners of Record: Same

Purpose: Convenience Store

Jurisdictional Agencies: City of St. Francis, MnDOT, MPCA
(but not limited to)

Permits Required: City Approval, NPDES Construction Permit, MnDOT ROW
(but not limited to) Permit

INFORMATION AVAILABLE

Kwik Trip Store #943 Submittal Stage Plans, cover sheet undated, prepared by Insites, Sunde Engineering, and Carlson McCain

Kwik Trip #943 Stormwater Management Calculations, dated 7/6/17, prepared by Sunde Engineering

Intersection Control Evaluation for TH 47 at 233rd Avenue, dated July 25, 2017, prepared by Spack Consulting

Lot Combination Survey, dated 8/4/17, prepared by Carlson McCain

SITE ACCESS / VEHICULAR TRAFFIC

1. The site will gain access from 233rd Avenue and Cree Street.
2. In accordance with the Intersection Control Evaluation report, the applicant has depicted a right in entrance from 233rd Avenue into the proposed convenience store site.
3. The Intersection Control Evaluation report shall be certified by the preparer.

SEWER AND WATER UTILITIES

1. There is an existing public watermain which dissects the subject property and is proposed to be relocated. The proposed realignment appears to be on adjacent property. The applicant must obtain written permission from the adjacent property owner in the form of a drainage and utility easement, which shall be 30 feet in width and offset on the watermain alignment to allow for future maintenance (10' – watermain - 20').
2. The applicant shall dedicate 15 feet of drainage and utility easement (total, from east property line) in the area of the watermain alignment adjacent to Trunk Highway 47.
3. The watermain realignment will require work within the MnDOT right-of-way. The applicant shall obtain a permit from MnDOT to allow this work.
4. There are three existing water services to the subject property from Cree Street. If the services are not going to be utilized, we recommend removing the service pipe to the corporation stop.
5. The watermain proposed to be removed shall be removed to the main.
6. It is unclear if the hydrant valve for the existing fire hydrant will conflict with the proposed curb for the south entrance on Cree Street. Provide proposed dimension from valve to back to curb.
7. Fire chief to review fire protection, if required.
8. There are two sanitary sewer services to the subject property from the existing sewer main in the Trunk Highway 47 right-of-way. The applicant shall attempt to utilize an existing service stub as opposed to making a third, new connection, to the sewer main.
9. The note on the Utility Plan shall be revised. All disturbed portions of City street shall be brought up with Class 5 gravel on the same day as the disturbance and restored with curb and gutter and pavement within one week. Provide a detail.

10. All disturbed areas of the street shall be sawcut to provide a vertical face prior to patching.
11. Tracer wire is required for the watermain in accordance with City standards. Tracer wire shall be brought to surface with access covers in accordance with City standards.
12. SAC and WAC fees are to be determined upon preparation of final building plans in accordance with the current City of St. Francis fee schedule.

GRADING, DRAINAGE AND EROSION CONTROL

1. Any sediment tracking onto City streets and/or Trunk Highway 47 shall be swept with a pick up sweeper.
2. It appears that the silt fence location along the north property line will have to be shifted to allow for the proposed watermain realignment.
3. It appears that the silt fence along the east property line may have to be shifted to allow for the watermain realignment and sewer service connection.

STORMWATER MANAGEMENT

1. Since this project involves a vehicle fueling station infiltration is prohibited. The applicant proposes to manage the stormwater with an underground storage system in accordance with MPCA rules.
2. The underground storage system will be a private system and the applicant will be responsible for the operation and maintenance of the system. The applicant shall enter into a Maintenance Agreement with the City which will be recorded at the County recorder's office.
3. Due to the possible contamination, the underground storage system shall be lined to prevent possible contaminants from entering the water table. Provide a detail of the underground system for review.
4. There are two manholes labeled "new MH 8". Please revise.
5. New MH 6 and New MH 8 (234th Avenue) are proposed in the wheel path of the public street. Shift New MH 6 east to centerline and shift New MH 8 west into the curb line with a catchbasin grate.
6. This site disturbs more than 1 acre and therefore a NPDES Construction Permit from the MPCA is required.
7. As shown in the stormwater management calculations, this stormwater system has been designed such that the post development runoff rates will be less than the existing runoff rates, as summarized in the following table:

Return Frequency	Proposed Conditions	Existing Conditions
2-YR	0.72 cfs	0.80 cfs
10-YR	1.11 cfs	2.64 cfs
100-YR	7.11 cfs	7.31 cfs

OTHER ITEMS

1. The existing drainage and utility easement that dissects the subject property must be vacated. Submit an exhibit and legal description for review.
2. A financial surety will be required. The financial surety must be in place prior to the vacation of the easement.
3. All plan sheets shall be certified by the professional that prepared each plan.

SUMMARY AND/OR RECOMMENDATION

We recommend approval subject to the above comments being addressed.

Executive Summary

Background:

Kwik Trip is proposing a gas station with 18 fueling positions and convenience store at the west side of Trunk Highway 47 (TH 47) north of 233rd Avenue and east of Cree Street in Saint Francis, Minnesota. The purpose of this study is to determine the traffic impacts of this proposed development as well as examine the potential development access onto 233rd Avenue.

Results:

The principal findings of this traffic study are:

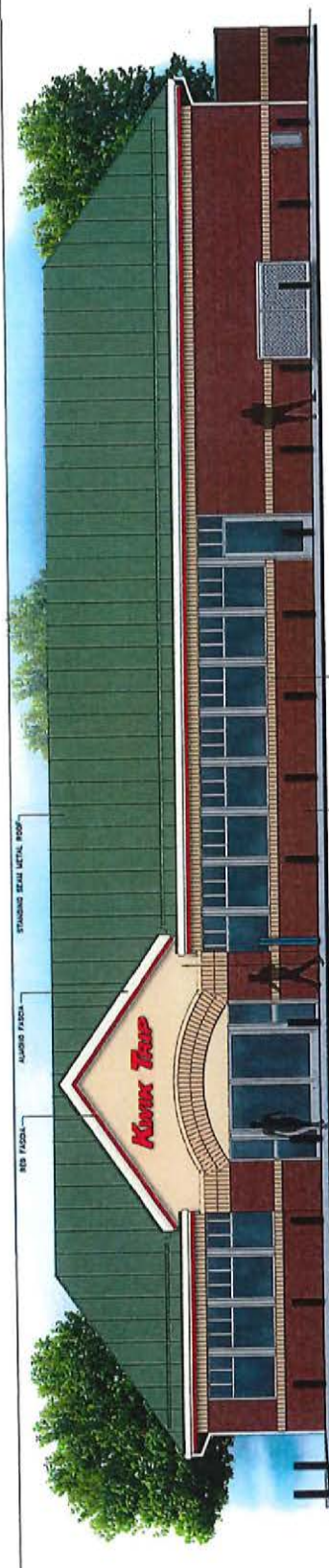
- The proposed site re-development is expected to generate approximately 2,146 new trips and 1,491 pass-by trips during an average weekday, approximately 160 new trips and 111 pass-by trips during the AM peak hour and approximately 143 new trips and 99 pass-by trips during the PM peak hour.
- The study intersections are forecast to operate with acceptable queue lengths on all approaches through the Build scenario during the AM peak hour.
- During the PM peak hour, the eastbound queue at TH 47 and 233rd Avenue is eight vehicles, longer than desired but within a reasonable amount for this type of intersection. The approach will operate with smaller queues for the remaining 23+ hours of the day.
- TH 47 and 233rd Avenue intersection's existing volumes do not fulfill any traffic signal warrants. The Build volumes at this intersection do satisfy Warrants 2 and 3, but not the necessary Warrant 1 or Warrant 7 required by MnDOT to warrant a traffic signal.
- The three-year crash analysis shows that TH 47 and 233rd Avenue experiences similar safety expectations to that of two-way stop intersections and does not deviate from statewide trends.
- Eastbound queueing of three vehicles or more, at the TH 47 and 233rd Avenue intersection, will result in blockages of the proposed 233rd site access.

Recommendations:

There is no geometric or traffic control mitigation required at the study intersections. However, the proximity of the proposed site access on 233rd Avenue to the adjacent intersections with Cree Street and with TH 47 raises concerns. This site access is recommended to be restricted to an Enter-Only access based on the following:

- Allowing for efficient circulation of the site by passenger cars or trucks.
- Eliminating the conflict of exiting vehicles onto 233rd Avenue and its potential stacking from the TH 47 intersection.
- Minimizing confusion or blocking of the access from exiting vehicles waiting to turn onto 233rd Avenue.
- Allowing operation of the access without the need for a median or other major changes to 233rd Avenue to enforce prohibited movements.

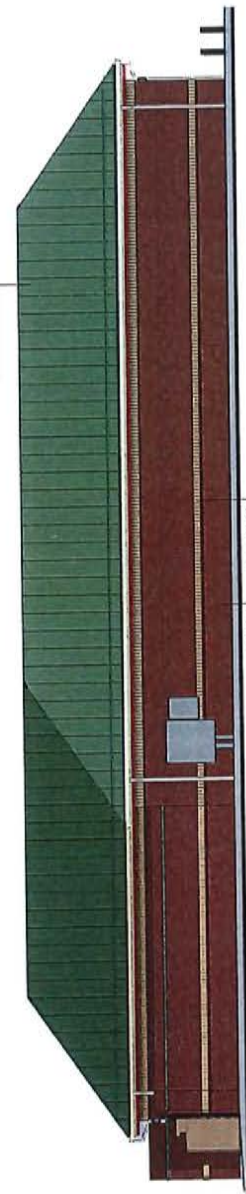
The intersection should continue to be monitored into the future for potential traffic signal control as traffic volumes grow beyond this immediate development.



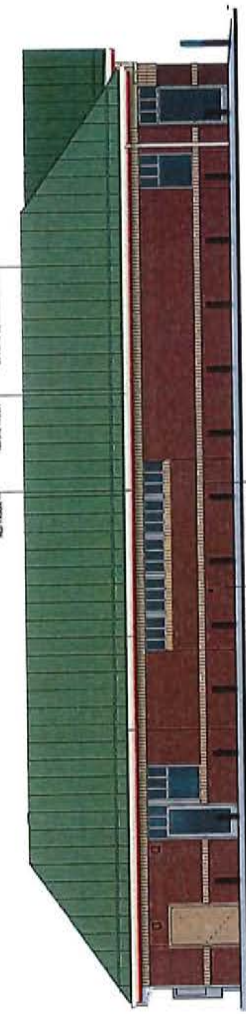
1 FRONT ELEVATION
1/4" = 1'-0"



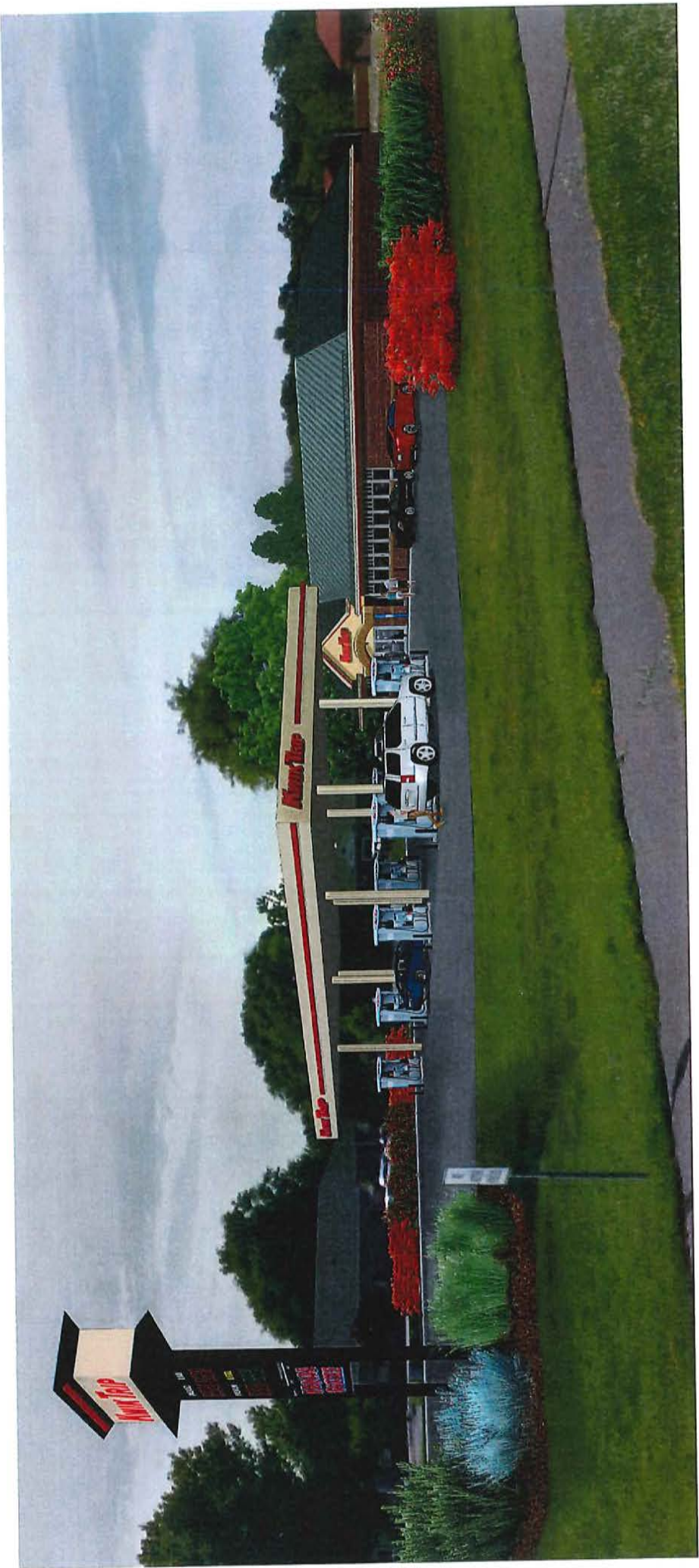
2 LEFT ELEVATION
3/16" = 1'-0"



3 REAR ELEVATION
3/16" = 1'-0"



4 RIGHT ELEVATION
3/16" = 1'-0"





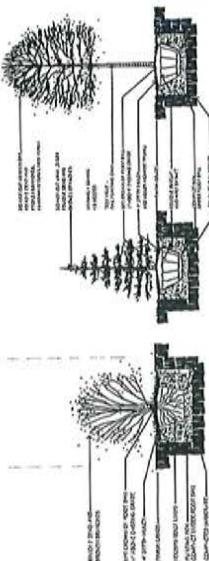
KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LACROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8980

INSITES

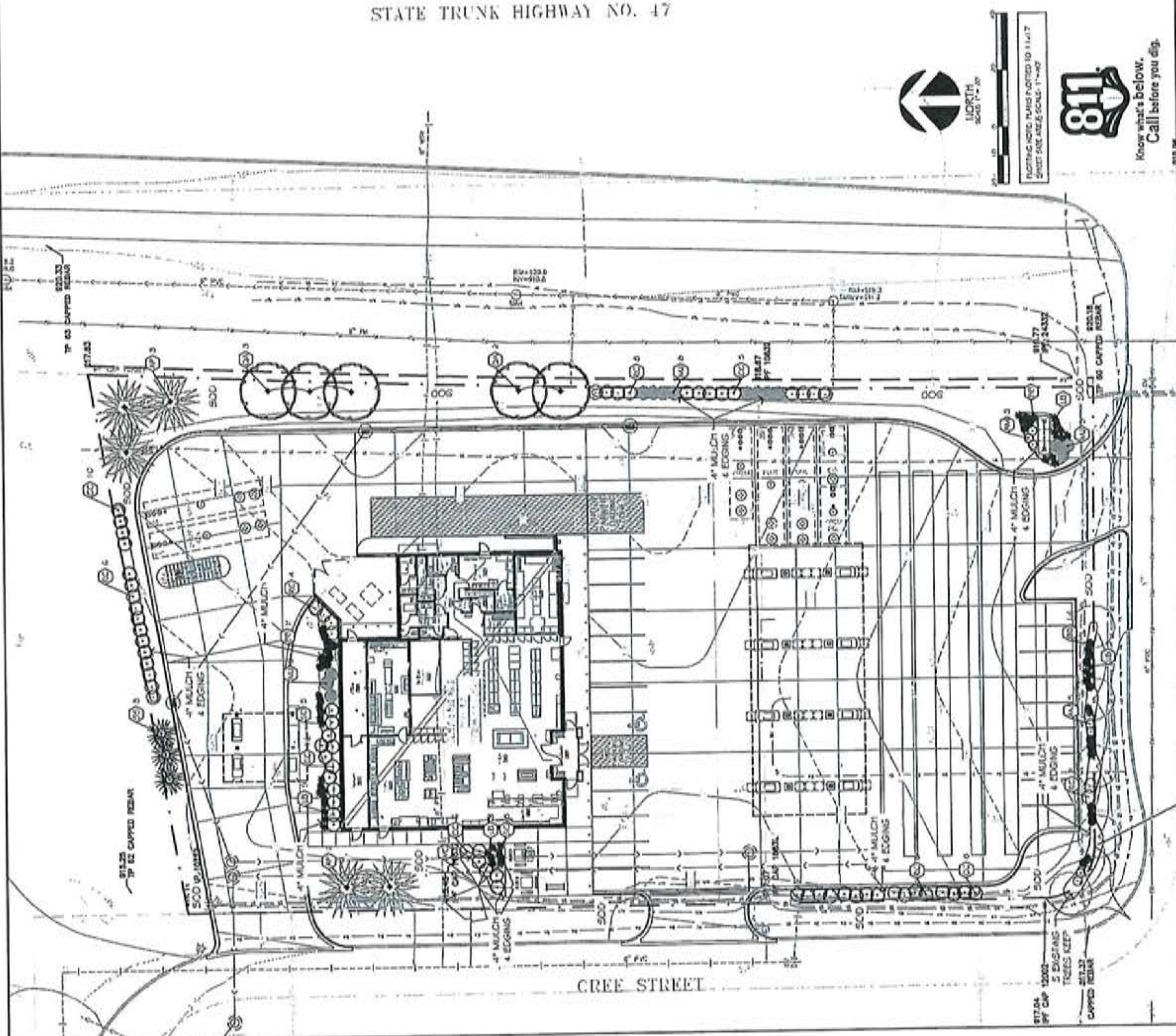
every detail that this plan, specification, or part was prepared by me or under my direct supervision, and that I am a duly licensed architect, and that I am duly licensed under the laws of the State of Minnesota.

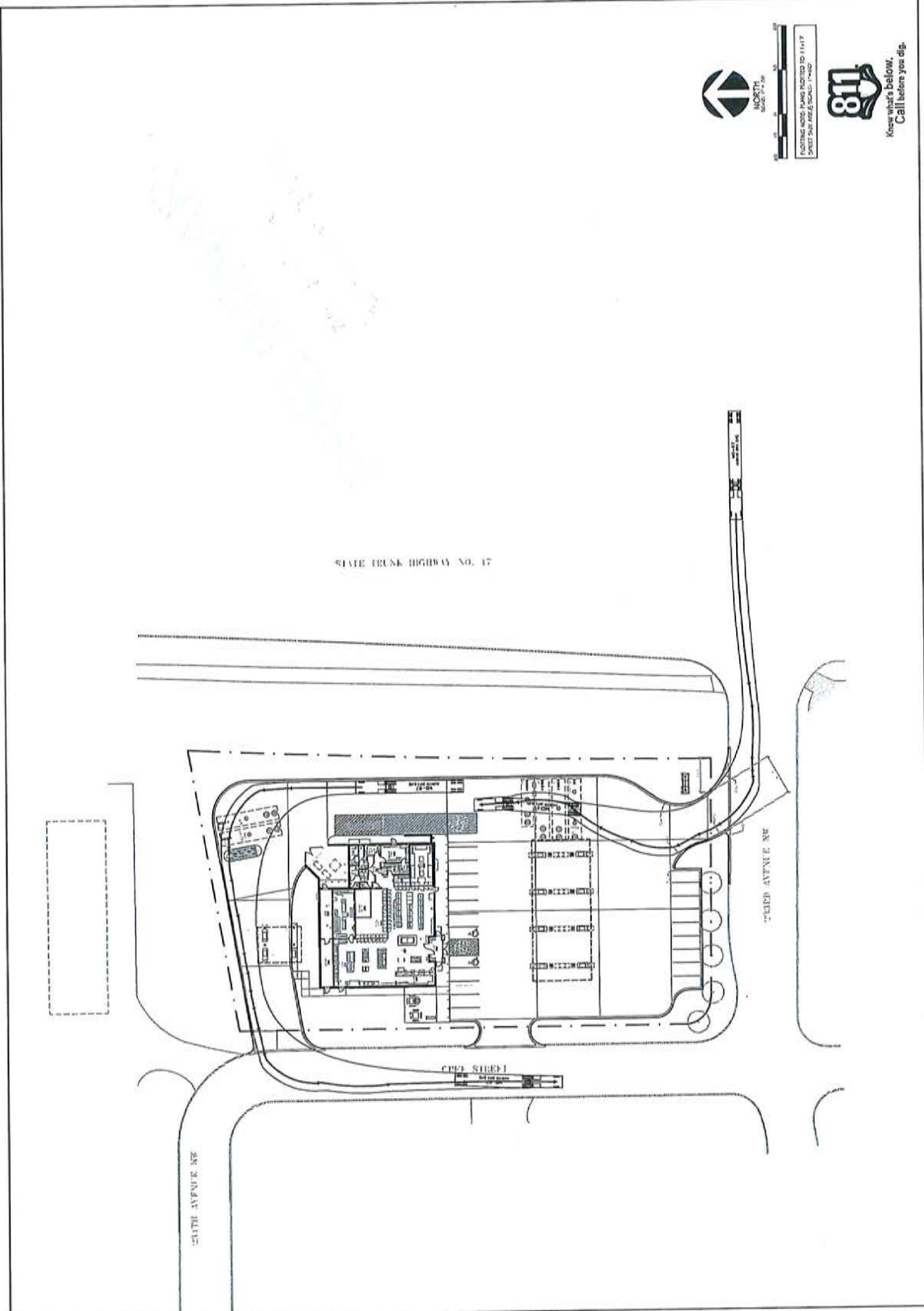
Quantity Rec'd. in 1952

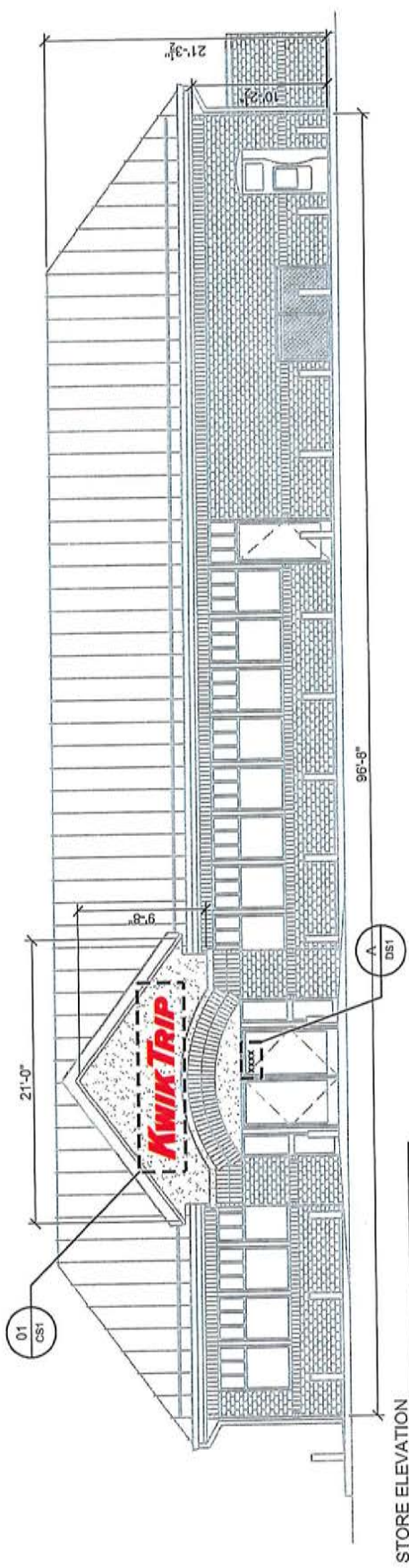
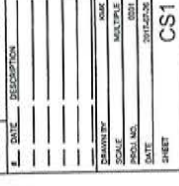
LANDSCAPE PLAN
CONVENIENCE STORE 943
ST. FRANCIS, MINNESOTA

[illegible][illegible][illegible]

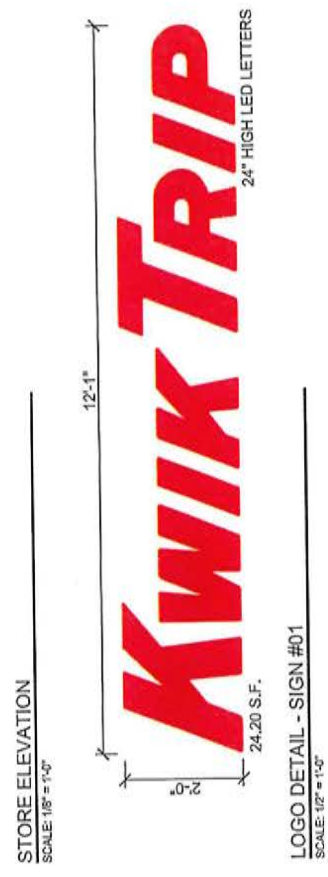
STATE TRUNK HIGHWAY NO. 47



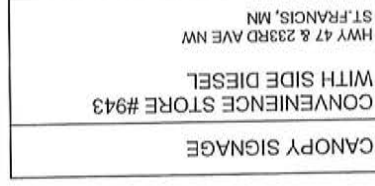
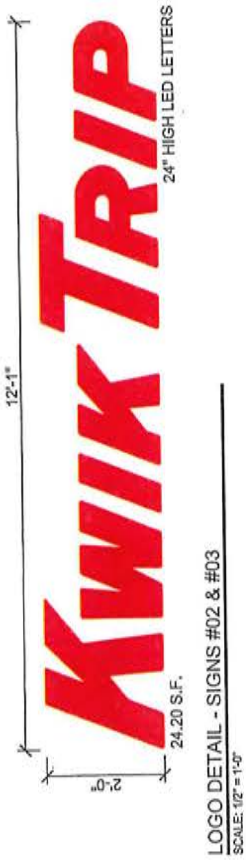
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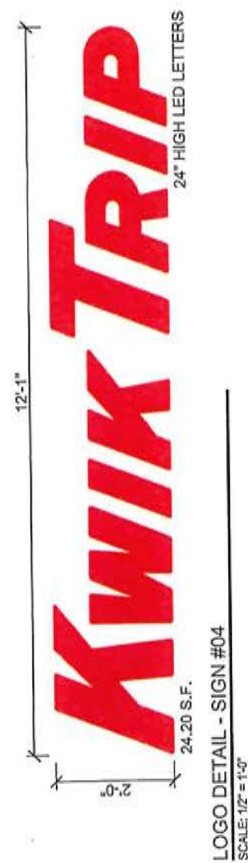
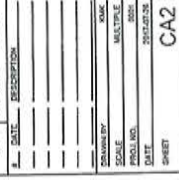


STORE ELEVATION
SCALE: 1/8" = 1'-0"



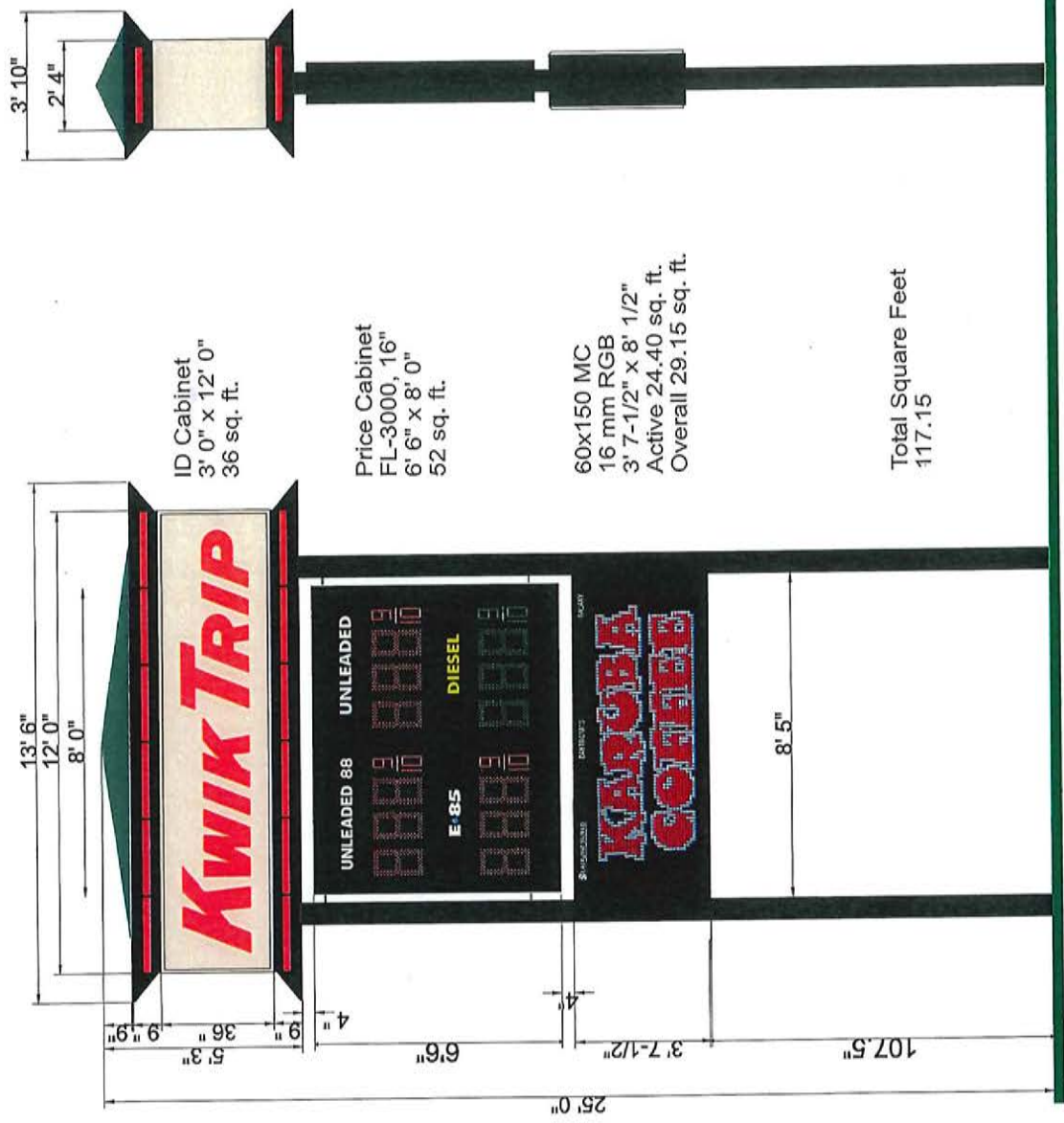
LOGO DETAIL - SIGN #01
SCALE: 1/2" = 1'-0"

[illegible]



LINE	DATE	DESCRIPTION	AMOUNT
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		KWIK TRIP, Inc. P.O. BOX 2107 1526 OAK STREET A CANTON, OH 44703-2107 PH (330) 781-4888 PH (330) 781-4888 FAX (330) 781-4880	CANOPY SIGNAGE		CONVENIENCE STORE #943		WITH SIDE DIESEL HWY 47 & 233RD AVE NW ST. FRANCIS, MN
			DATE _____ DESCRIPTION _____		DATE _____ DESCRIPTION _____		
DRAWN BY _____		SCALE _____		SHEET NO. _____		DATE _____	
CA4		2017-02-02		2017-02-02		2017-02-02	



ID Cabinet
3' 0" x 12' 0"
36 sq. ft.

Price Cabinet
FL-3000, 16"
6' 6" x 8' 0"
52 sq. ft.

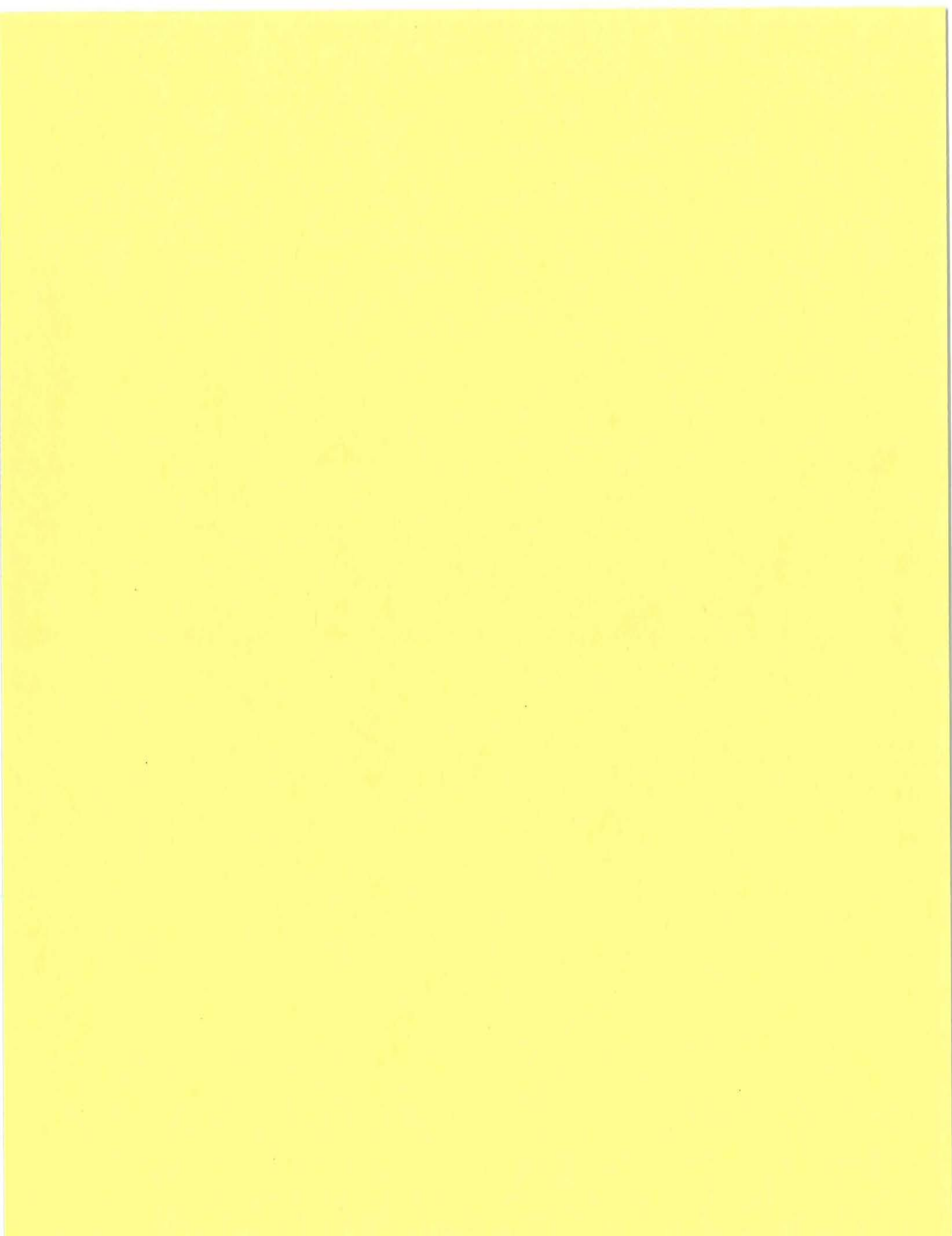
60x150 MC
16 mm RGB
3' 7-1/2" x 8' 1/2"
Active 24.40 sq. ft.
Overall 29.15 sq. ft.

Total Square Feet
117.15

Approved by: _____ Date: _____ Landlord: _____ Date: _____

DESIGN		SALES		FILE		COLOR KEY	
Drawing by: Bryan Cullen	Job Name: Kwik Trip	Revision Number:		1	NA 208080 Beige	7	Green LED
Sign Type: Pylon	Job Address:	Job File Location:		2	Black S/G paint	8	Black (230-22)
Date Created: 4-7-17		S:11 - Kwik Trip\		3	#2283 Red Acrylic	9	Yellow (230-015)
Last Modified:	Salesperson: Cindy Bluske	New Store\Design		4	White of Acrylic	10	Blue (230-167)
Scale: 3/16" = 1'	Job Number:			5	Red LED		
				6	NA 307880 Hemlock Green		

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 ACTUAL COLORS OF THE SIGN OR SIGNAGE



**PLANNING COMMISSION
AGENDA REPORT**
Agenda Item #:7a

TO: Planning Commission
FROM: Kate Thunstrom, Community Development Director
SUBJECT: EDA Acquisition of Property 3757 Bridge Street NW
DATE: 08/10/2017

OVERVIEW:

The City of St. Francis EDA is looking to acquire a property located at 3757 Bridge Street for the purposes of future commercial/retail redevelopment. This property is currently for sale. The City has the opportunity to purchase the property with the intent to assemble land long-term. This property is located in the area that has been identified as the Downtown through redevelopment planning.

The acquisition would result in a future demolition of the existing structure for redevelopment. The purchase is through voluntary sale. The City Council has authorized the use of Anoka County HRA/EDA funds for the acquisition. These funds are levied for the purposes of housing and job creation activities. The parcel is currently zoned Commercial and housing is not an eligible use for this property.

This real property acquisition is consistent with the Redevelopment Plan and the Comprehensive Plan.

ACTION TO BE CONSIDERED:

Planning Commission to recommend concurrence with the findings that the acquisition is consistent with the Comprehensive Plan

Attached: Redevelopment Plan Concept

