

**REGULAR MEETING
PLANNING COMMISSION
City of Oakdale
May 2, 2019**

The Oakdale Planning Commission held a meeting on Thursday, May 2, 2019 at Oakdale City Hall, 1584 Hadley Avenue North, Oakdale, Minnesota. The meeting began at 7 p.m.

CALL OF ROLL

On a call of roll, the following were present:

Chairperson: Dallas Pierson
Corey Purkat
Marty Jurgensen
Christopher Campbell
Yaya Diatta

Absent: Lee Stolarski
Bob Boullianne

Others present: Emily Shively, City Planner
Jake Ingebrigtsen, Council Liaison

Council member Ingebrigtsen welcomed the new Planning Commissioners, Yaya Diatta and Christopher Campbell.

He stated the developer for the 3M project has a couple of other projects outside of Minnesota he is involved with first, so it will be the year 2020 before the project breaks ground. In order to answer questions from Commissioner Purkat, Mr. Ingebrigtsen & Planner Shively explained the developer and city issues regarding the project.

APPROVAL OF MINUTES

A MOTION WAS MADE BY COMMISSIONER PURKAT, SECONDED BY COMMISSIONER PIERSON, TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 7, 2019.

**ABSTAIN: MARTY JURGENSEN ABSENT MARCH 7 MEETING
YAYA DIATTA - NEW MEMBER AS OF MAY 2 MEETING
CHRISTOPHER CAMPBELL – NEW MEMBER AS OF MAY 2 MEETING**

PUBLIC HEARINGS

- 1. CONDITIONAL USE PERMIT (CUP) FOR A HOME OCCUPATION AT 1569 HYDRAM AVENUE COURT NORTH (SINGLE-CHAIR HOME SALON – (TRISHA REMACKEL)**

Planner Shively presented a CUP request for a home occupation at 1569 HyDRAM Avenue Court North. She said home occupations are a condition use in all residential districts.

Planner Shively noted the applicant is going to operate a single-station hair salon for limited clientele by appointment only on Tuesday through Saturday from 9:00 to 4:00 pm. She pointed out that clients will park in the driveway and walk around to the west side of the home to a rear entrance. Planner Shively said she will have no outside signage.

She stated, according to the zoning ordinance, a CUP is a permitted use that is only allowed when it is shown that the use meets certain general and specific standards related to the proposed conditional use.

Planner Shively commented that the role of the Planning Commission is to review the CUP request as it relates to the Comprehensive Plan and Zoning Ordinance requirements and provide a recommendation to the City Council.

She stated that city staff has determined the CUP request for a home occupation meets the requirements of the zoning ordinance and recommends the approval of the CUP.

In response to Commissioner Diatta's question on whether she has accessibility for the handicapped in her home, Ms. Remackel stated this was not a state requirement, she does not have any handicapped customers and she is currently not accepting new clients. Planner Shively added this is also not a city requirement.

In response to Commissioner Purkat's question regarding updating electrical outlets, Ms. Remackel said she is currently meeting with a contractor to see if there is any wattage issues. She noted she does not use a lot of outlets at the same time.

Janet Cunningham, the next door neighbor to the west, described parking issues on Hydrum Avenue North that could get worse with the proposed home occupation. Commissioner Diatta said this is a separate issue since the parking for the home occupation would be in the applicant's driveway. He noted the other parking issues on the right of way would have to be taken to the police.

Planner Shively noted that if a home occupation isn't operating according to the standards, for example, parking is not occurring on the driveway as proposed, a CUP can be revoked. She also affirmed that if there are issues with the parking on Hydrum Avenue North, it can be taken up with the code enforcement officer and the police department for resolution.

A MOTION WAS MADE BY COMMISSIONER JURGENSEN, SECONDED BY COMMISSIONER PURKAT, TO RECOMMEND APPROVAL OF THE CUP FOR A HOME OCCUPATION (SINGLE-STATION HAIR SALON) AT 1569 HYDRAM AVENUE COURT NORTH.

5 AYES.

2. CONDITIONAL USE PERMIT (CUP) AND SITE PLAN REVIEW FOR A 33-UNIT BUILDING ADDITION AT 6630 HUDSON BOULEVARD NORTH (PEACEFUL LODGE)

Planner Shively presented a request for a CUP amendment and a Site Plan approval for a 33-unit building addition at 6630 Hudson Boulevard. She showed where the current facility is located in relation to other residences and businesses. She explained that Peaceful Lodge renovated a former hotel on the property and received approval for a 55-unit assisted living facility in 2014. She added the proposed addition will include 14 memory care units on the first floor and 19 assisted living units on the second floor.

Planner Shively said that because the new addition adds new units to the building, a new CUP is required. As further explained by Planner Shively, if this application meets the criteria in the ordinance, the CUP is granted.

As for the building addition itself, Planner Shively stated it will require a site plan review where the building location, parking, exterior materials and other site characteristics are reviewed. She said if the site plan meets the criteria, the site plan approval is granted.

Planner Shively described the site plan and the building elevations (Attachment B – C) including the outdoor areas and the parking.

She stated the staff has determined the CUP and site plan applications meet the requirements of the zoning ordinance and they recommend approval of the applications.

In response to Chairperson Pierson's question on whether the area adjacent to the facility is all commercial, Planner Shively stated it is commercial to the east of the site.

In response to Commissioner Jurgensen's question on whether the original CUP is still in existence, Planner Shively described in detail why the original CUP was required, why it is still part of the property and what would happen if the land was sold.

Justin Fincher from JB Vang Partners for Peaceful Lodge, said they were excited for the opportunity to work with the City of Oakdale on this addition.

In response to Chairperson Pierson's question on security measures, Mr. Fincher described the types of security in order to keep the residents as safe as possible.

In response to Chairperson Pierson's question on whether the new addition rooms will be the same size as the existing ones, Mr. Fincher said they will be.

Commissioner Jurgensen had concerns that adding 33 units pushes the density up to 43 units per acre, which he believes is not compatible with the surrounding area. He also had concerns

with the exterior materials meeting the architectural ordinance and certain requirements on the permit, especially the unsightliness of the property. He brought up the deterioration of parking lot and trash surrounding the building so he felt it did not meet the intended character of the area. He also believes the multitude of EMS and fire calls make it incompatible to the criteria that states the use shall not create excessive additional requirements at public cost.

Planner Shively and Mr. Fincher addressed Commissioner Jurgensen's concerns in detail with regard to the city having the capacity to provide services needed for a building addition. She also noted that the city code enforcement officer started working with Peaceful Lodge on their trash issues last fall to find a long term solution to the problem.

In response to Commissioner Purkat's question on whether assisted living facilities are regulated by some entity and whether there have been any complaints, Mr. Fincher said they are required to have a state license. Mr. Fincher said he would find out that information. Planner Shively reminded the commission that state regulations ensure that all their health and safety standards are met.

In response to Commissioner Purkat's concerns about Peaceful Lodge not meeting the state regulation standards, Planner Shively said the city could approve the 33-unit addition but if they do not get a state license to provide those services, the units would essentially be empty.

In response to Commissioner Purkat's question about the trash situation still being a problem, Mr. Fincher said the facility is working well with the city in getting the trash issue under control. Planner Shively noted that if trash is outside the dumpster, they may need to have trash picked up more frequently or obtain additional dumpsters.

In response to Commissioner Pierson's question on city's perspective regarding increasing EMS calls to the city, Planner Shively said she could talk to the Emergency Services personnel on internal staffing operation issues that potentially could be changed to address the number of calls. She pointed out that this type of use generates EMS calls and our city needs to have the capacity to deal with these calls for the safety of the residents.

Commissioner Diatta stated he liked all the commissioner's comments as a wake-up call to the facility to be aware of the issues that need to be resolved. He also believed this is a great facility for any and all cities because it is a service that many of us, as we age, may need.

Commissioner Jurgensen noted that he is not against the need for memory care or assisted living facilities in the city, he just believes that as a land use, it is too dense and does not fit into the area.

Planner Shively commented that because the Greenway station is going to be coming in, the character of this area is changing. She said, if redevelopment would occur in areas near the facility, the density for residential will increase. She stated, after staff review for over a year, the area was deemed to be an appropriate density for the facility.

A MOTION WAS MADE BY COMMISSIONER CAMPBELL, SECONDED BY COMMISSIONER DIATTA TO RECOMMEND APPROVAL OF A CUP FOR A 33-UNIT ADDITION TO AN ASSISTED LIVING FACILITY AT 6630 HUDSON BOULEVARD NORTH.

3 AYES.

**2 NAYES. COREY PURKAT – TRASH; LACK OF INFORMATION ON STATE LICENSE COMPLAINTS; INCREASED EMS CALLS
MARTY JURGENSEN – TRASH; ADDITION WOULD INCREASE DENSITY WHICH IS NOT COMPATIBLE WITH THE AREA; INCREASED EMS CALLS**

A MOTION WAS MADE BY COMMISSIONER DIATTA, SECONDED BY COMMISSIONER CAMPBELL, TO RECOMMEND APPROVAL OF THE SITE PLAN FOR A 33-UNIT BUILDING ADDITION AT 6630 HUDSON BOULEVARD NORTH.

3 AYES.

**2 NAYES. COREY PURKAT – SAME AS ABOVE
MARTY JURGENSEN – SAME AS ABOVE**

INFORMATIONAL ITEMS

a. PLANNING AND DEVELOPMENT UPDATE

Planner Shively stated for implementation of the 3M site, staff needs some information from the developer.

For the Helmo Station plan, she said they are working with some potential housing developers.

She said they are working with Metro Transit on the engineering design for the bus rapid transit and the station in addition to the bicycling and pedestrian plan, which will probably be going to council early this summer.

She commented there may not be a meeting in June unless a CUP comes through. She also said the July meeting will be on the 11th because of the 4th of July holiday.

ADJOURNMENT

A MOTION WAS MADE BY COMMISSIONER PURKAT, SECONDED BY COMMISSIONER DIATTA, TO ADJOURN THE MAY 2, 2019 MEETING OF THE OAKDALE PLANNING COMMISSION AT 8:30 PM.

5 AYES.

Respectfully submitted, Cathy Hannigan