

**REGULAR MEETING
OAKDALE PLANNING COMMISSION
March 5, 2020**

The Oakdale Planning Commission held a meeting on Thursday, March 5, 2020 at Oakdale City Hall, 1584 Hadley Avenue North, Oakdale, Minnesota. The meeting began at 7 PM with the Pledge of Allegiance.

CALL OF ROLL

On a call of roll, the following were present:

Chairperson: Dallas Pierson

Commissioners: Bob Boulliane
Christopher Campbell
Yaya Diatta
Emily Milles
Lee Stolarski

Absent: Marty Jurgensen

Others Present: Emily Shively, City Planner

APPROVAL OF MINUTES

A MOTION WAS MADE BY COMMISSIONER STOLARSKI, SECONDED BY COMMISSIONER BOULLIANE, TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JANUARY 2, 2020, AS PRESENTED.

6 AYES

PUBLIC HEARINGS

a. CONDITIONAL USE PERMIT FOR A SECOND ACCESSORY BUILDING AT 6570 5TH STREET

Planner Shively presented a Conditional Use Permit (CUP) request for a second accessory building (10'x10' square foot open sided gazebo) at the home of Matt and Tara Falteisek, 6570 5th Street North, zoned R3 (Low-Density Residential), in addition to an existing 10'x10' square foot building at that location. She explained that single family homes in R3 districts are allowed to have one accessory building up to 150 square feet and that second accessory buildings or a larger single accessory buildings require the approval of a Conditional Use Permit (CUP).

Ms. Shively stated that staff reviewed the CUP request and found it meets all the requirements in the ordinance, therefore, staff recommends approval.

In response to Commissioner Diatta's question whether an attached or detached garage is considered an accessory building, Ms. Shively explained that single family homes are allowed either one attached or detached garage up to 1,000 square feet and, in addition, one accessory building, based on size determined by the zoning district, is also allowed.

In response to Commissioner Campbell's question, Ms. Shively said that should one of the accessory buildings be removed at some point, the homeowner could replace it provided it is a building of the same size and meets the setback requirements; a larger building would require a new CUP request.

In response to a question from Commissioner Boulliane, Ms. Shively stated that the applicants contacted their neighbors, as per process, and no objections were noted.

In response to a question from Commissioner Stolarski, Mr. and Mrs. Falteisek explained that their gazebo is open, not enclosed.

Commissioner Campbell asked if any language was needed to state that the requested CUP is for use as a gazebo only.

Mr. Falteisek noted that he does not want any additional buildings on his property.

Planner Shively noted that having a hot tub or a lawn mower in the gazebo may be different, but the land use impact is not significant as the structure is still being used for residential purposes.

In response to a question from Chair Pierson, Planner Shively confirmed that another CUP would be needed if a future property owner wanted to remove the two 10'x10' structures and build a 10'x11' structure.

Chair Pierson opened the public hearing for comments from the audience.

Ms. Shively noted she received a phone call from the property owner at 6525 5th Street North and Al Jantz supported the CUP request.

As no other comments were heard, Chair Pierson closed the public hearing.

A MOTION WAS MADE BY COMMISSIONER STOLARSKI, SECONDED BY COMMISSIONER CAMPBELL, TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW TWO 10'X10' ACCESSORY BUILDINGS AT 6570 5TH STREET NORTH.

6 AYES

b. CONDITIONAL USE PERMIT (CUP) FOR A CHURCH USE AT 7019 6TH STREET NORTH (THE LORD'S CHURCH)

Planner Shively presented a Conditional Use Permit (CUP) request to allow a church use at 7019 6th Street North. She stated that The Lord's Church has been leasing space in an office building in an I-O Industrial Office zoning district and that churches are allowed in that zoning district with a Conditional Use Permit. Planner Shively further stated that the church did not realize a CUP was needed. She noted that the commission would be reviewing whether there is sufficient parking for the use and noted that the church's activities typically take place on evenings and weekends when other users in the building are not as active.

Planner Shively stated the church typically utilizes up to 15 parking spaces of the 127 parking spaces on site. She added that the church's use has been shown to be compatible with the other uses in the building and there have not been any parking issues.

Ms. Shively stated that staff reviewed the CUP request and found it meets all the requirements in the ordinance, therefore, staff recommends approval.

Pastor Thao Xiong from The Lord's Church and David Johnson from Crossroads Properties, landlord for property, were available for questions.

Chair Pierson asked whether the fire department identified any code(s) required for the assembly use at the location.

Planner Shively replied that all new building permit requests are checked to make sure that the use meets code. She added that she works with the building department to ensure that uses are permitted and that all of the zoning code requirements are met when there are new tenants.

Chair Pierson opened the public hearing for comments from the audience.

David Johnson, Owner of Crossroads Properties, noted that commercial properties within the City benefit from the annual inspection from the Oakdale Fire Department where issues can be identified. He stated that he was not aware of the requirement for a Conditional Use Permit relative to churches in I-O zoned districts.

Pastor Xiong shared that the church is comprised of seven families who utilize no more than 15 parking spaces of the 20 allotted to his leased space.

In response to a question from Commissioner Boulliane, Pastor Xiong stated he is hoping membership continues to grow.

Commissioner Diatta questioned how the need for a CUP was discovered.

Pastor Xiong was contacted by Mr. Johnson and he, in turn, contacted the city planner.

Ms. Shively explained that a new tenant in the building applied for a building permit and she requested information about other tenants to make sure parking balanced at this site and learned about the church use.

As no other comments were heard, Chair Pierson closed the public hearing.

A MOTION WAS MADE BY COMMISSIONER STOLARSKI, SECONDED BY COMMISSIONER MILLES, TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A CHURCH USE AT 7019 6TH STREET NORTH (THE LORD'S CHURCH).

6 AYES

INFORMATIONAL ITEMS

a. Planning and Development Update

Planner Shively shared that the tent that was up at Peaceful Lodge, 6630 Hudson Boulevard, to start the foundation work has come down and work on the building would begin shortly.

Ms. Shively noted that commissioners were provided a printed copy of the final 2040 Comprehensive Plan and that the final version is also available online. She thanked the commissioners for their participation in the City's Comprehensive Plan process and that a number of applications that may come before the Planning Commission relate back comp plan goals.

Planner Shively also mentioned staff was working with the City's Communication Specialist Alyssa Macleod on the public engagement relating to the Bike and Pedestrian Plan update, which is a goal of the comp plan. She added that, earlier in the day, the City rolled out an online survey and online wiki-map to gather residents' experience of walking and biking in Oakdale. Ms. Shively mentioned that the process would include in-person engagement for those that don't have internet access from the end of March and into April. She anticipated a meeting to be held in April and would inform commissioners if this changes.

In response to a question from Commissioner Diatta regarding sand running across sidewalks and into the sewer system, Ms. Shively asked that Commissioner Diatta email her with the locations so she can pass the information along to other City staff.

In response to a question from Chair Pierson about the City's new Adopt-A-Drain program, Planner Shively shared that the Environmental Management Commission has initiated program to address the leaves, dirt and garbage that gets into the curbs and gutters, into storm sewers, and then into wetlands and lakes and that information for signing up is on the City's website.

ADJOURNMENT

A MOTION WAS MADE BY COMMISSIONER STOLARSKI, SECONDED BY COMMISSIONER BOULLIANE, TO ADJOURN THE MARCH 5, 2020 MEETING OF THE OAKDALE PLANNING COMMISSION AT 7:31 PM.

6 AYES

Respectfully submitted,
Jackie Knutson,
Recording Secretary