

**MINUTES OF THE REGULAR MEETING
PLANNING COMMISSION
LITTLE CANADA, MINNESOTA**

APRIL 12, 2018

Pursuant to due call and notice thereof a regular meeting of the Planning Commission of Little Canada, Minnesota was held on the 12th day of April, 2018 in the Council Chambers of the City Center located at 515 Little Canada Road in said City.

Chair Bill Buesing called the meeting to order at 7:30 p.m. and the following members of the Planning Commission were present at roll call:

PLANNING COMMISSION: Mr. Bill Buesing
 Mr. Chris Kwapick
 Mr. Eric Thorson
 Ms. Dawn Kulousek
 Ms. Taelor Johnson
 Mr. Nick Sandell
 Mr. Nick Schwalbach

ALSO PRESENT: Mr. Steve Grittman, City Planner
 Ms. Heidi Heller, City Clerk
 Mr. Kevin Helander, Cable TV

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The February 15, 2018 and March 28, 2018 Planning Commission meeting minutes were approved as submitted.

**PLANNED UNIT
DEVELOPMENT
SIGN PLAN
AMENDMENT AT 80
LITTLE CANADA
ROAD EAST;**

The City Planner explained that Tim Smith, property owner of 80 Little Canada Road East is seeking a Planned Unit Development Comprehensive Sign Plan Amendment that would allow one wall sign per tenant space and painted wall graphics on the building. He stated that in 2010, a Comprehensive Sign Plan was approved for this property that required building signage to consist of individual letters with mounting style allowed either on a raceway or individually, and that plastic face signage would not be allowed. In August 2017, Mr. Kjos of TNT Billiard Products, applied for a permanent sign permit, but was denied due to the fact the metal panel sign proposed did not meet the approved conditions. The City Planner explained that at that time, city staff explained why the permit could not be approved. Shortly afterwards, Mr. Kjos proceeded with installation of the metal panel sign and also added painted wall graphics to the west elevation of the building without city approval. The City Planner stated that both Mr. Smith and Mr. Kjos were made aware of the violations and given the option to either remove both signs or apply for an

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amendment to the existing sign plan, and after several months, the property owner has applied for the amendment.

The City Planner explained that the comprehensive sign plan also provided for a maximum of four wall signs on the north elevation of the building. Since that approval, the property owner has identified tenant suites located on all of the building elevations that may have a need for signage. The City Planner stated that the PUD Amendment request is to increase the number of wall signs up to nine, and allowing them to be installed on all elevations of the building. The wall signs as proposed would vary between raceway mounting, individually mounted letters, panel signs, or painted wall graphics. In addition, the signs vary between internally illuminated, non-illuminated, or external overhead lighting. The City Planner noted that there is also a freestanding sign on the property for Poolside that has been there for many years. The property owner has indicated that he would like that to stay.

The City Planner explained that the applicant is also requesting to be allowed one painted wall sign on the west elevation of the building. He stated that the City's architectural guidelines for the commercial development areas prohibit the use of painted wall graphics as a type of signage. He noted that in 2014, the City did approve the use of painted wall graphics as signage at Saxon Lanes, 61 Little Canada Road West, as part of the entire building being repainted. He stated this guideline was established due to concerns with painted wall graphics being difficult to remove when businesses change and in maintaining them in good shape over the years. He explained that the guidelines are in place to maintain a consistent look for signage on buildings with multiple tenants.

Tim Smith, property owner of 80 Little Canada Road, is agreeable to the rail signs and single letters for the rest of the tenants, but is requesting to keep the TNT Billiards metal panel sign and the painted sign on the west side. He noted that their painted sign is well done and feels that it can be easily painted over.

Johnson clarified that the request is two parts; the first is to allow signage on all sides of the building for the tenants; and the second part is to be able to keep TNT Billiard's existing metal panel sign and the painted wall sign on the west elevation, which is not consistent with the existing sign plan.

Buesing asked if the TNT Billiards sign was lit. Mr. Smith stated that it would be with an overhead gooseneck light.

Schwalbach asked if there have been other sign requests denied. The City Planner stated that there have been a variety of sign requests that were not

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approved. Schwalbach stated that he has a hard time approving this deviation when others have been denied.

Mr. Kjos stated that he will remove the painted sign if he has to, but would like to be able to have a sign on the door that shows the entrance to the billiard hall. Mr. Smith would like to keep the freestanding sign for Poolside. Schwalbach clarified that the issue was not needing more than 684 square feet of total signage.

There were no comments from the public.

Johnson recommended approving the Planned Unit Development Comprehensive Sign Plan Amendment for 80 Little Canada Road East by allowing a total of 684 square feet of signage on the building, and allowing an exception for TNT Billiard Products to keep the existing metal panel sign on the north elevation but remove the painted artwork signage on the west elevation, with the understanding that TNT Billiard Products can add another sign on the west elevation that is consistent with the existing north elevation sign and can be lit with down lighting, and TNT Billiard Products must receive city staff approval of the lighting style with the sign permit. The freestanding sign can be retained but must be within the overall 684 square foot allowance.

Motion seconded by Schwalbach.
Motion carried 7 – 0.

**SUBDIVISION OF
2320 PRESERVE
TRAIL AND 475
VIKING DRIVE E.**

The City Planner explained the property owner of 2320 Preserve Trail and 475 Viking Drive E. has requested a simple subdivision to create a third lot from the existing two lots. He noted that the properties are zoned R-1, Single Family Residential, and all three lots comply with the applicable R-1 District size requirements. He stated that the property owner has indicated that he plans to build a single family home on the new lot in the future. The City Planner explained that the survey does not show the required six foot perimeter drainage and utility easements around all three lots, which will be a condition of approval. He noted that there is currently an existing six foot drainage and utility easement around three sides of the 2320 Preserve Trail parcel, however with the lot line adjustments being proposed, this will impact this easement on the west side. Also the survey has shown that an existing 12 foot drainage easement for Parcel B, 475 Viking Drive, at the southwest corner of the lot will be vacated. The City Planner stated that the applicant will need to apply to have these easements vacated. He explained that there is also a 20 foot MnDOT storm sewer easement that runs north to south on 2320 Preserve Trail and the newly created Lot C. He noted that staff has talked with the applicant about

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taking this into consideration in his plans for construction of a new home on Parcel C. There is no additional setback requirement from the easement, but the applicant is aware that he is not allowed to build anything within this easement. The City Planner noted that the storm pipe in this easement is very deep and the City Engineer is reviewing this in greater detail. He stated that staff is recommending a condition of approval be subject to any comments or conditions of the City Engineer. He noted that as a condition of all lot splits, it is recommended that the new Parcel C be subject to the City's park and trail dedication requirements.

The City Planner explained that there is currently only a sewer connection available to the new lot, so the applicant will be required to install a new water service connection and will be subject to the City Code specifications for both the water service and street construction. He stated that it appears the new lot will meet all of the code requirements. He noted that the City Engineer is also recommending that the applicant must provide grading and drainage information before construction to ensure that the new lot can drain as required.

The City Planner stated that the proposed lot split is consistent with applicable zoning and subdivision ordinance requirements. Staff recommends approval of the subdivision of parcels 2320 Preserve Trail and 475 Viking Drive subject to the following conditions:

- Future plans for Parcel C are subject to current code requirements and must comply with any and all applicable codes.
- Processing the vacation of existing easements that are no longer necessary as a result of the proposed simple subdivision.
- The applicant submit a revised survey showing the required six foot drainage and utility easement along the property lines for all three parcels.
- A grading plan is submitted for staff review and approval prior to issuance of the building permit for Parcel C.
- Comments by the City Engineer related to MnDOT's storm sewer easement, if any.

Buesing asked the applicant if he was agreeable to the conditions stated in the staff report. Steve Brausen, 2320 Preserve Trail, stated that his surveyor felt that there should not be any problem complying. He noted that he would not be on the MNDOT easement. He stated that he is not sure if he will be building a home on the new lot or simply selling it. Mr. Brausen questioned when the park dedication fee would have to be paid. The City Planner stated that with simple subdivisions, it is usually when construction is going to occur, but city staff will confirm that.

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There were no comments from the public.

Johnson recommended approving the simple subdivision for 2320 Preserve Trail and 475 Viking Drive E., subject to the recommendations in the staff report.

Motion and amendment seconded by Kwapick.
Motion carried 7 – 0.

**CONDITIONAL USE
PERMIT, VARIANCE
AND
ARCHITECTURAL
REVIEW FOR A
DRIVE-
THRU/CONVENIENC
E RESTAURANT
(CARIBOU COFFEE)
AT 228 LITTLE
CANADA ROAD E.;
APPLICANT:
REPRISE DESIGN &
LARRY ABDO**

The City Planner explained that the property owner of 228 Little Canada Road East has submitted an application to construct a new 1,800 square foot Caribou Coffee restaurant with a drive-thru. He stated that this property is at the corner of Little Canada Road and 35E, and has been vacant for several years but was previously a gas station. He explained that this request is for a conditional use permit for the drive-thru along with an architectural review, and variances for a reduced side yard setback along a public right-of-way and a zero lot line setback for a curb barrier.

Staff's concern was for the overall traffic circulation and vehicle stacking on the site. He noted that the City Code does not have a specific number of required stacking spaces. Too much stacking of vehicles on this particular site would be very problematic because of the intersection where this property is located. The City Planner stated that the updated site plan submitted today addresses the concerns of traffic flow and stacking, and has 21 parking spaces which is the minimum number of parking spaces. Ramsey County has jurisdiction over Little Canada Road so they will need to review the driveway location and traffic study.

The City Planner stated that staff has not had time to review the updated plan in detail, but in general it appears to meet the code requirements. The City Engineer and Ramsey County still need to review this updated plan. He noted that the driveway access point was shifted to the east slightly from its current location.

Since the amended plan is at least much closer to meeting the issues that staff was concerned about, staff recommends approval subject to several conditions that are listed in the staff report.

Larry Abdo, property owner of 228 Little Canada Road East, explained that he has talked to about 15 different users about this site and none of them were interested. He stated that Caribou Coffee has denied this site four times in the last five years, but were purchased by a large company that has a strong growth plan. He stated that they finally approved this site and he is willing to do what is needed to make it work.

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Schwalbach stated that they are asking for three wall signs but the City Code only allows two. He asked if three wall signs have ever been approved. The City Planner stated that he cannot think of another example in the city of a single tenant building with three wall signs. He noted that the sign code is more flexible with multi-tenant buildings and they can have more wall signs. He stated that for single tenant buildings, the Code allows one wall sign per street frontage along with one free standing sign.

Charles Schatz, Reprise Design, said he has designed many stores for Caribou and this is a prototype building design. He explained that the third wall sign on the north elevation is simply the logo and drive-thru designation. He stated that having three signs is very typical in other locations with free standing buildings.

Steve Johnston, Elan Design Lab, stated that along with the new site plan, there was a traffic study done by an independent consultant. He explained that it is a congested intersection but this development would not make it significantly worse. He noted that the study did want to see the Caribou driveway entrance moved east to line up with the Country Drive intersection, so that was done on the new site plan. He stated that he feels the updated site plan addresses the traffic flow and stacking concerns. Mr. Johnston stated they have no concern with the conditions in the staff report, including what the city engineer noted.

Schwalbach stated that he knows this is a really tough site to develop, and if allowing three wall signs will help get a business here, he could support that. He clarified that a variance would then be needed for a third wall sign. The City Planner explained that no action can be taken on the additional signage since there was not a public hearing notice done for a sign variance. He stated the applicant would need to apply for a variance for the third wall sign and go through the planning process.

There were no comments from the public.

Schwalbach recommended approving an Architectural Review, a Conditional Use Permit to allow an accessory drive-through lane, and a Variance from the 5-foot curb barrier setback and a Variance from the 40-foot side yard abutting a public right-of-way setback, for a drive-thru/convenience restaurant at 228 Little Canada Road East, based on the April 12, 2018 site plan, subject to the conditions in the Planner's report.

Motion and amendment seconded by Kulousek.
Motion carried 7 – 0.

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**REVIEW PROPOSED
CITY CODE
AMENDMENTS**

The City Planner stated that staff is proposing three amendments to the zoning code and subdivision code. He explained that the first amendment to Chapter 902 is dealing with the definition of Riparian. He noted that the proposed language is adding clarification to what has been staff's practical application of the definition. He explained that riparian is property with frontage on a body of water, but the issues have been with properties that have only a small sliver of land that fronts the lake and the house structure or buildable area is on the other side of the road.

The City Planner stated that the second amendment is to the subdivision code relating to using metes and bounds, where the parcel is being described by survey lines rather than a plat. He noted that the code used to have a limitation on how many times you could use the metes and bounds way to subdivide a property, and staff is not sure how or when it disappeared from the code. He explained that this amendment is adding language that prohibits a parcel that was subdivided with a metes and bounds description from being subdivided again with a metes and bounds description for 10 years. He noted that this does not prohibit someone from subdividing a property, but they will have to plat the subdivision instead.

The City Planner stated that the third proposed amendment addresses the proposed changes for the I-1, Light Industrial District as discussed between the City Council and Planning Commission at the joint workshop on January 10, 2018. Staff has drafted an ordinance based on the comments from that meeting. He explained that they changes primarily deal with outdoor storage in commercial districts, and relaxes the rules for leasing outdoor storage to tenants or off-site tenants. He noted there is also some language simplification for screening. The City Planner explained that there is a change in the allowance for refuse containers and now allows them stored behind the front line of the building in the side yard, versus in the rear. He stated that the last changes are for off-site outdoor storage and related interim use permits.

Schwalbach clarified that a site plan showing where the outside storage will be is still required as part of the license. He clarified that City Staff can approve any site plan changes.

There were no comments from the public.

Johnson recommended approving Ordinance 827, amending Chapter 902 of the Little Canada City Code, known as the Zoning Code.

Motion and amendment seconded by Sandell.
Motion carried 7 – 0.

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Schwalbach recommended approving Ordinance 828, amending Chapter 1001 of the Little Canada City Code, known as the Subdivision Ordinance.

Motion and amendment seconded by Kwapick.
Motion carried 7 – 0.

Kwapick recommended approving Ordinance 829, amending Chapter 914 of the Little Canada City Code, known as the Zoning Code.

Motion and amendment seconded by Thorson.
Motion carried 7 – 0.

REVIEW DRAFT The City Planner explained that he was not able to complete the draft of the
COMPREHENSIVE Comprehensive Plan so it will be moved to the May Planning Commission
PLAN meeting.

ADJOURN There being no further business, Buesing adjourned the meeting at
9:14p.m.

Respectfully submitted,

Heidi Heller
City Clerk