

**BELLE PLAINE JOINT CITY COUNCIL AND PLANNING COMMISSION
SPECIAL MEETING
TUESDAY, APRIL 30, 2019**

1. PLEDGE OF ALLEGIANCE.

Mayor Christopher Meyer led those present in the Pledge of Allegiance.

2. CALL TO ORDER. 2.1. Roll Call.

The Belle Plaine City Council met in Special Session on Tuesday, April 30, 2019 at 6:31 PM in the Council Chambers of City Hall, 218 North Meridian Street, Belle Plaine, MN. Mayor Meyer called the meeting to order with Councilmembers Ben Stier, Cary Coop, Paul Chard and Renee LeMieux present.

Also present were City Administrator Meyer, Community Development Director Smith Strack and City Engineer Duncan. Wanda Savage served as video recording operator.

3. APPROVAL OF AGENDA.

MOTION by Councilmember Coop, second by Councilmember LeMieux, to approve the agenda. ALL VOTED AYE. MOTION CARRIED.

4. APPROVAL OF CONSENT AGENDA.

4.1. Resolution 19-066 Award Bid for the Well No. 3 Rehabilitation Project.

MOTION by Councilmember Coop, second by Councilmember Stier, to approve the consent agenda as follows: 4.1. Resolution 19-066 Award Bid for the Well No. 3 Rehabilitation Project. ALL VOTED AYE. MOTION CARRIED.

5. CALL TO ORDER PLANNING AND ZONING COMMISSION

5.1. Roll Call.

The Planning and Zoning Commission met in Special Session on Tuesday, April 30, 2019 at City Hall 218 North Meridian Street, Belle Plaine, MN. Vice Chair Cauley called the meeting to order at 6:34 PM with Commissioners Ryan Herrmann, Ashton Pankonin and alternate Lee Peterson present. Commissioners Omni Kiecker and Ashby Carter were absent.

5.2. Approval of Agenda

MOTION by Commissioner Herrmann, second by Commissioner Pankonin to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

6. PUBLIC HEARINGS.

Mayor Meyer introduced the agenda item noting Public Hearings will run concurrently.

6.1. Casey's Retail Company Conditional Use Permit and Site Plan. The Planning Commission and City Council will consider public comment on conditional use permit and site plan application submitted by Casey's Retail Company for property described as Lot 1, Block 1 Jane Properties Subdivision. A conditional use permit is required under Section 1103.13, Subd. 3 of the City Code pertaining to uses within the I/C Industrial Commercial District. Site plan approval is required under Section 1103.07 of the Code. If approved the conditional use permit and site plan would allow development of a 4,512 square foot convenience store, six double-sided gasoline pumps, three double-sided diesel pumps, and three underground fuel storage tanks.

Community Development Director Smith Strack explained the Planning Commission and City Council will hold a joint public hearing on a request from Casey's Retail Company and Jane Properties LLC pertaining to conditional use permit and site plan approval. Smith Strack explained the subject parcel is Lot 1, Block 1 Jane Properties Subdivision. Smith Strack noted the property is zoned I-C Industrial Commercial District. The Applicant's propose development of a convenience store with fueling stations. Smith Strack explained

construction is projected in 2019. Smith Strack explained the proposed use is broadly consistent with the Comprehensive Plan noting the development review of the site plan and narrative also appear consistent with Conditional Use Permit criteria. The proposed store is a 4,512 square foot convenience store, six double-sided gasoline pumps, three double-sided diesel pumps, and three underground fuel storage tanks. Smith Strack explained parking appears sufficient and snow storage acceptable. Smith Strack noted tree preservation and landscaping appears sufficient along with refuse and HVAC screening. Smith Strack noted the proposed design standards appear to meet the minimum standards and the new construction design was approved by the Design Committee prior to the Joint meeting. Smith Strack explained the photometric lighting plan illustrates light intensity at property lines and within code standards. Smith Strack noted review of the development was sent to the City Engineer and comments will be incorporated in a revised plan set, municipal utilities, MnDOT, Scott County and Design Committee. Smith Strack explained Casey's Jon Schuette and Mark Gerber were in the audience and available for comment.

Mayor Meyer opened the City Council public hearing at 6:44 PM and asked for public comment.

Vice Chair Cauley opened the Planning Commission public hearing at 6:44 PM and asked for public comment.

No comment was made.

MOTION by Councilmember Coop, second by Councilmember LeMieux to CLOSE the public hearing at 6:44 PM. ALL VOTED AYE. MOTION CARRIED.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann, to CLOSE the public hearing at 6:44 PM. ALL VOTED AYE. MOTION CARRIED.

6.1.1. (Planning Commission Consideration) Resolution PZ 19-014 A Resolution Recommending Conditional Approval of a Conditional Use Permit and Site Plan for Casey's Retail Company Lot 1, Block 1 Jane Properties Subdivision.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann, to approve Resolution PZ 19-014 A Resolution Recommending Conditional Approval of a Conditional Use Permit and Site Plan for Casey's Retail Company Lot 1, Block 1 Jane Properties Subdivision. ALL VOTED AYE. MOTION CARRIED.

6.1.2. (City Council Consideration) Resolution 19-064 A Resolution Conditionally Approving a Conditional Use Permit and Site Plan for Casey's Retail Company Lot 1, Block 1 Jane Properties Subdivision.

MOTION by Councilmember Coop, second by Councilmember Chard, to approve Resolution 19-064 A Resolution Conditionally Approving a Conditional Use Permit and Site Plan for Casey's Retail Company Lot 1, Block 1 Jane Properties Subdivision. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer introduced the agenda item.

6.2. DGI Belle Plaine LLC Conditional Use Permit and Site Plan. The Planning Commission and City Council will consider public comment on conditional use permit and site plan application submitted by DGI Belle Plaine LLC for property described as Lot 1, Block 2 Jane Properties Subdivision. A conditional use permit is required under Section 1103.13, Subd. 3 of the City Code pertaining to uses within the I/C Industrial Commercial District. Site plan approval is required under Section 1103.07 of the Code. If approved the conditional use permit and site plan would allow development of a 6,400 square foot general merchandise retail store.

Community Development Director Smith Strack provided a brief slide show and explained requests from DGI – Belle Plaine LLC and Jane Properties LLC pertaining to conditional use permit and site plan approval. Smith Strack explained development of Lot 1, Block 2 Jane Properties subdivision for general

merchandise retail store with construction in 2019 is proposed. Smith Strack noted the proposed use is broadly consistent with the Comprehensive Plan including planned land use and zoning. Smith Strack explained a Conditional Use Permit and Site Plan review are required for the proposed Dollar General site> Smith Strack noted the property is proposed for development of a 7,500 square foot retail store. Parking and pedestrian patterns appear reasonable. Smith Strack explained no tree preservation replacement is required on the development site noting the proposed landscaping plan review indicates 34 over-story trees, foundation plantings, and sod or seeded areas are proposed. Smith Strack explained landscaping required around light standards placed in parking lot. Exterior material minimums apply. When totaled required Class I materials proposed are 97% of that required, robust landscaping is also provided. Those conditions were referenced by the Design Committee when recommending approval of building and site design. Smith Strack explained photometric plans submitted illustrates light intensity at property lines appears to be within code standards. Smith Strack noted the development has been reviewed by the City Engineer and the Design Committee. Notice of the hearing was given to Scott County Transportation. Recommendations from the City Engineer were to be incorporated in approval standards. Permits are needed from Scott County. Smith Strack explained Todd Platt and Jim Lindberg were in the audience and available for comment.

Mayor Meyer opened the City Council public hearing at 6:56 PM and asked for public comment.

Vice Chair Cauley opened the Planning Commission public hearing at 6:56 PM and asked for public comment.

No comment was made.

MOTION by Councilmember Coop, second by Councilmember Chard to CLOSE the public hearing at 6:56 PM. ALL VOTED AYE. MOTION CARRIED.

MOTION by Commissioner Pankonin, second by Commissioner Peterson, to CLOSE the public hearing at 6:56 PM. ALL VOTED AYE. MOTION CARRIED.

Mayor Meyer inquired if the code required mulch for the back of the building was included in the subject resolution. Community Development Director Smith Strack confirmed. Commissioner Pankonin inquired if there was any way to make the sidewalk ADA compliant. City Engineer Duncan explained with the Elevation difference of ten feet a path or sidewalk would require steps and railing. Commissioner Cauley inquired of owner Lindberg on the design of the building. Lindberg explained after review of the City's code and design requirements many upgrades were made to the proposed building to help fit within the City's standards. Mayor Meyer voiced concerns regarding no walkway or trail to the building. Cauley stated concerns regarding the south elevation noting the area is the least landscaped area. Commissioner Herrmann inquired on the height the shrubbery. Todd Platt of DGI explained the proposed shrubs range between 3-4 feet in height.

6.1.1. (Planning Commission Consideration) Resolution PZ 19-015 A Resolution Recommending Conditional Approval of a Conditional Use Permit and Site Plan for DGI Belle Plaine LLC Lot 1, Block 2 Jane Properties Subdivision.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann to approve Resolution PZ 19-015 A Resolution Recommending Conditional Approval of a Conditional Use Permit and Site Plan for DGI Belle Plaine LLC Lot 1, Block 2 Jane Properties Subdivision. ALL VOTED AYE. MOTION CARRIED.

6.1.2. (City Council Consideration) Resolution 19-065 A Resolution Conditionally Approving a Conditional Use Permit and Site Plan for DGI Belle Plaine LLC Lot 1, Block 2 Jane Properties Subdivision.

Councilmember Coop voiced concerns regarding the lack of sidewalk and ability of wheelchair accessibility requesting a sidewalk from Hickory to Prosper street.

MOTION by Councilmember Coop to approve Resolution 19-065 A Resolution Conditionally Approving a Conditional Use Permit and Site Plan for DGI Belle Plaine LLC Lot 1, Block 2 Jane Properties Subdivision with handicap accessible pathway. MOTION FAILED for lack of a second.

MOTION by Councilmember Coop to approve Resolution 19-065 A Resolution Conditionally Approving a Conditional Use Permit and Site Plan for DGI Belle Plaine LLC for Lot 1, Block 2 Jane Properties Subdivision, second by Councilmember Chard for discussion.

Councilmember Chard suggested a short sidewalk on west side of the building at the entrance on Prosper Street to provide accessible access to the store while bypass grading issues. City Engineer Duncan clarified sidewalk on the east side of the driveway entrance would be a direct path and a shorter distance of pathway.

MOTION by Councilmember Chard, second by Councilmember Coop, to approve Resolution 19-065 A Resolution Conditionally Approving a Conditional Use Permit and Site Plan for DGI Belle Plaine LLC Lot 1, Block 2 Jane Properties Subdivision with the amendment requiring the construction of a sidewalk to the east of the driveway access. ALL VOTED AYE. MOTION CARRIED.

7. ADMINISTRATION.

7.1. Upcoming Meetings.

1. Design, 5:15 PM, Monday, May 6.
2. City Council, 6:30 PM, Monday, May 6.
3. Work Session, 6:45 PM, Monday, May 6.
4. Public Works, 9:00 AM, Thursday, May 9.

Mayor Meyer reminded the Council of upcoming meetings as listed.

8. ADJOURN.

8.1. Planning and Zoning Adjourns.

MOTION by Commissioner Peterson, second by Commissioner Pankonin, to adjourn the Planning and Zoning Commission at 7:19 PM. ALL VOTED AYE. MOTION CARRIED.

8.2. City Council Adjourns.

MOTION by Councilmember Coop, second by Councilmember Stier, to adjourn the Regular Session at 7:19 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary