CITY OF EYOTA
PLANNING COMMISSION MEETING MINUTES
AUGUST 19, 2020

Present: Members: Susan Spafford, Janet Hughes, Lief Hughes and Heather Tesdahl
Council Rep: Ray Schuchard Secretary: Marlis Knowlton
Absent: Council Rep John Chesney Member Adam Beilke
Guests: Karen Flury, 474 Limestone Court NW – Carol Hash, 478 Limestone Court NW – James Perry, 586 Keefe Court NW – Bill Thomas, 2943 Hwy 42 SE – Jane Kansier, Bolton & Menk, Inc. - via Zoom, Nick Brenner representing Menard, Inc.

Call to Order: Chair Susan Spafford called the meeting to order at 7:00 p.m.

Approve Agenda: Motion was made by Tesdahl and seconded by Lief Hughes to approve the agenda as presented. Ayes 4, Nays 0. Motion carried.

Minutes: Motion was made by Lief Hughes and seconded by Janet Hughes to approve the June 9, 2020 and June 17, 2020 regular meeting minutes as presented. Ayes 4, Nays 0. Motion carried.

PUBLIC HEARING Menard, Inc. Conditional Use Permit: See "Exhibit A"
Motion was made by Tesdahl and seconded by Lief Hughes to close the regular meeting. Ayes 4, Nays 0. Motion carried.

Motion was made by Tesdahl and seconded by Lief Hughes to open the public hearing. Ayes 4, Nays 0. Motion carried.

Spafford introduced Nick Brenner who is representing Menard Inc. and joining the hearing electronically via Zoom. Spafford referred to the written comments submitted by Mark Woodward (102 Sandstone Drive NW). Brenner started giving a brief overview of the project. They have been working on plans since October 2019, it is a proposed nail plant which is currently in Chester, MN. They have outgrown the Chester location due to increased distribution sites; and they are looking for a new location to build a bigger distribution center. The operations are mainly distribution; items (nails, screws, etc.) are shipped in, repackaged and shipped back out to other distribution sites. This is not going to be a retail store, nor in the future as there is not enough land area.

Members of the audience could not hear Brenner, so some things were repeated, and changes made.

Carol Hash questioned what this will do to our property values, as they live across the street (Hwy 42). Spafford explained that the City's has a Comprehensive Plan (most recent 2009) and as long as it has been in place, this property has always been designated to be used as M-1 (manufacturing/industrial) on the future land use plan. The land has been used as agriculture and continues until it is put to its desired use. Uses would be manufacturing, warehouses, etc. She said she could not speak on what this would do exactly to property values. A lot of thought and planning was done when it was decided to be zoned for future industrial type uses. This property is not suited for residential use. It has a designated wetland area and is too wet so basements would be a problem. Traffic was a big consideration; it is adjacent to State Highway 42 and the

railroad which makes it undesirable for residential use. Hash questioned if that meant all the land on that side would be industrial use and if so, what will it do to traffic and the highway. Spafford explained industrial type uses have restrictions and regulations and turn lanes are required if warranted; it usually would not be as many vehicles as single-family residential use.

Hash said the other side (of the townhome complex where she lives) is residential and we already asked for the highway speed to be studied and reduced; along with getting semitrucks to slow down. Traffic is going 60-65 miles per hour, hard to make left turns, there are school buses and trucks stopping at the railroad crossing. Schuchard said this plant would need a turn lane and the City can not do anything about the speed limit on Highway 42. Hash continued with her concerns that this area has more residential development and what will this project do to all those houses and will it get even bigger. Spafford explained buffering around the site is required. And that is the reason for this Conditional Use Permit hearing, to address buffering needs. Hash said people should have been told more information before they built their townhomes. Spafford responded that all cities have comprehensive plans and we try to tell people to do their research and learn about the area and basic ordinances (like parking) before building.

Hash said it won't be pleasant for a lot of people, with it infringing on the edge. What will the other half of the property be used for. What will be next, an ethanol plant? No. How many trucks will be going in and out? She felt they should have gotten more information regarding this project before this meeting. And there aren't many people here because it is a Wednesday night and Wednesday nights are traditionally church night. Spafford confirmed people were notified properly of this hearing.

Spafford introduced the City's Planning Consultant Jane Kansier who is here to help answer questions. Spafford asked Brenner to address Woodward's questions.
Why is the current location for this business being vacated? They outgrew the Chester location. They need a larger facility to serve current needs. Yes, it will be closed to this operation. The current Chester facility may be used for another purpose in the future.
In what ways will noise and traffic be monitored so as to prevent problems? There will be fifteen to twenty semitrucks a day. As the operation grows there might be one or two more trucks in five or ten years.
How will light pollution be eliminated? Operations are 6 am to 10 pm, Monday-Friday. Most lighting will be on the west side of the building and will shine down. There will also be a berm with trees and/or bushes along the highway as a required buffer.
Will the site require solar panels? No.
Will clutter, refuse, debris, junk equipment, pallets, hazardous waste, chemicals, and other liked things be properly governed and eliminated from becoming a problem? Operations will be entirely inside the building. No outside storage. This is a distribution facility to move product to other locations (other distribution sites and/or stores). They want to be a good neighbor to protect their reputation and keep people shopping at their stores. It is one of the owner's pet peeves to keep a neat facility. It will be maintained and mowed, etc.
Will there someday be a full-blown Menard store on this location? No.
How many workers will be coming in and out of this site? Twenty to thirty employees working on two different shifts. Some are coming from the current site, but there is potential for new jobs.
How many deliveries in and out will take place here? Fifteen to twenty trucks, employees, and very limited number of vendors. There will not be any cafeteria or anything like that requiring more deliveries. No traffic study was done because of the low number of trucks it was not

warranted or required. Not all trucks will be coming from Interstate 90, some will be coming from the north off Highway 14. A left turn lane is planned.
Will this site be properly landscaped to mitigate becoming an eye sore? How does the current Menard site look? What is their track record for being a good neighbor? Businesses are easier to regulate than residential. They have been known for maintaining their facilities.

How will traffic concerns be mitigated? At least one turn lane is required, two are planned to be as safe as possible. It would be nice to have the speed limit reduced, it is not in the city's control.
Where will the entrance be located? The building's employee entrance is on the northeast corner of the building. On the site plan it is the small addition to the main building. The blue area is the storm water retention pond and grading ditch.

Other? This area has always been planned to be industrial and/or manufacturing type businesses. Hash questioned what about the other land (referring to land north), she has concerns of future development and citizens were not given much information regarding this one. The biggest concern is traffic.

The building will be about fifty-five tall to accommodate machinery. There will be a partial slant roof and it will be a metal pole barn type building with the main entrance dressed up with something like block.

Spafford invited Kansier to make comments. Kansier summarized key points from the staff report. The City zoning outlines and regulates landscaping, setbacks, etc. This property has been zoned M-1 for a while. The operations are to take items like nails and screws having them delivered in bulk, repackaged, then shipped to distribution centers and then to the stores. The building is proposed to be 200' from road right-of-way of Highway 42. Side set back is 80' and the rear yard is 368'. All these setbacks are more than the minimum requirements. Building height will be 54' and the maximum height per code is 55'. Parking spaces required is based on the number of employees per the largest shift; they have shown more than an adequate number of spaces. The truck docks are on the west side of the building and are shown as having twenty on the east side and 20 more on the west side so trucks can be unloaded, loaded again, and leave. Only a very small sign (8x4) is shown to be placed at the entrance. It may be lit by a ground mounted spotlight. A lighting plan will be submitted later, and the parking lot area can be required to shine down, and distances restricted. Buffering is required per code and the pond will help for distance. A landscaping plan is required and needed. M-1 zoning is the most intensely regulated zone for buffering. The site plan shows a four foot high berm and there could be as many as 30-40 trees required. No outdoor storage is planned. A detailed final grading and storm water plan is required to be submitted and to be approved by the city engineer.
Kansier said the plan meets the code regulations and she went through the proposed recommended conditions:

Recommended Conditions:

1. The applicant must submit detailed plans for staff review and approval prior to receiving a building permit. These include:
    a. A final site plan with all setbacks and dimensions.
    b. A lighting plan for the site.
    c. Utility and grading construction plans.
    d. Stormwater management plan, including summary memo and calculations.

e. A landscaping plan identifying the buffer yard and plantings.
f. MPCA Construction Stormwater Permit.

2. Signage on the site will require a separate permit.
3. A certificate of occupancy for the use will not be issued until the access from Highway 42 is constructed.
4. No outdoor storage will be permitted on the site without an amendment to this CUP.
5. The site must be maintained in a neat and clean condition.
6. Any requirements cited by the City Engineer must be addressed.
7. Building Permits and construction on the site must commence within six months of approval of the permit.

Regarding #3 – the city is working on grants for the cost of the access and the condition is a final certificate of occupancy will not be issued until the stub road is constructed.
Regarding #7 – depending on the grant timing and the road completion date, the six-month limitation may need to be changed, extended.

Lief Hughes commented that we should probably add the requirement to have a fire lock box installed on the building. Add as condition #8.

Hash asked what construction timeline is being planned. Brenner said they hope to start construction the spring of 2021. Obvious factors like MnDOT approval, grants, road construction and the pandemic may change that.

Bill Thomas questioned how this facility line up with the surrounding area, specifically to the airport runway. A larger map was referenced to show the layout.

Spafford reiterated that the townhome residents are the ones asking questions and have concerns. As they have always had a farm field next door. Hash wants to keep it that way as long as possible and would like to see trees put in versus a berm. Spafford verified the ordinance requires specific buffering. We have more control over this type of project than a homeowner.

Hash had concerns about access across from Dollar General and hoped semis would not be on the city streets. Spafford said the trucks will not coming through town.

No other comments.

Motion was made by Tesdahl and seconded by Lief Hughes to close the Menard, Inc. public hearing. Ayes 4, Nays 0. Motion carried.

Motion was made by Tesdahl and seconded by Janet Hughes to open the Planning Commission meeting. Ayes 4, Nays 0. Motion carried.

Spafford verified the Commission wanted to add the additional condition to require a fire lock box. They discussed the timing of the building permits and construction on the site must commence within six months of approval of the permit. It was agreed to change it to twelve months.

Brenner saw no issues with any of the requests, they are all standard processes.

Motion was made by Tesdahl and seconded by Spafford to recommend to the Council to approve the Conditional Use Permit with the noted Finding of Facts and the proposed conditions: changing #7 to twelve months and add #8, the fire box. Tesdahl, Lief Hughes and Spafford voted in favor. Janet Hughes voted opposed. Ayes 3, Nays 1. Motion carried.

Finding of Facts:

a) The intent of the M-1 district is to provide land area for land uses of an industrial nature including, but not limited to, manufacturing, major transportation, and communication facilities, utilities, warehousing, wholesaling and uses of a similar character and intensity.
b) The proposed use is consistent with the standards for conditional uses listed in Section 153.193, G of the Zoning Ordinance.
c) Conditions placed in this CUP will protect the health, safety & general welfare of the community and neighbors use and enjoyment of property and their property values.
d) There are no potential public health implications.
e) The proposed use is consistent with the City's Comprehensive Land Use Plan.
f) Ingress and egress will be provided by the extension of Whetstone Place on the south side of Highway 42.
g) The site has access to city sewer and water service.

PUBLIC HEARING James and Jacquel Perry 586 Keefe Court NW Variance: See "Exhibit B"

Motion was made by Tesdahl and seconded by Lief Hughes to close the regular meeting and open the public hearing. Ayes 4, Nays 0. Motion carried.

James Perry explained when and how his house was built. He would like to build a 15x15 deck over the existing concrete slab. The deck will end up being only twelve feet from the rear property line, a variance is requested. The new house behind him is about ninety feet away. Perry's lot is odd shaped being on a cul-de-sac.

Spafford questioned if they had always planned on building a deck. Perry said yes and that they were not aware of the setback restrictions or maybe they could have changed the original plans. Spafford explained the lot is odd shaped and questioned when else has or would this be an issue with the City.

Schuchard questioned who missed this on the plans when it was built. Knowlton explained staff does the initial research on a plan and has a Council member review and sign off on it. The deck was not included on the original building plans and concrete patios like this one are not subject to setback regulations.

Lief Hughes questioned if Perry had talked to his neighbors; he had not. Perry verified for Schuchard that the deck will probably be ten feet in the air. Tesdahl commented that there would still be plenty of room for even a future fence.

No more comments.

Motion was made by Lief Hughes and seconded by Tesdahl to close the public hearing. Ayes 4, Nays 0. Motion carried.

Motion was made by Tesdahl and seconded by Janey Hughes to open the regular meeting. Ayes 4, Nays 0. Motion carried.

Motion was made by Lief Hughes and seconded by Tesdahl to approve the variance request. Ayes 4, Nays 0. Motion carried.

Motion was made by Lief Hughes and seconded by Spafford to approve the following finding of facts: the lot is odd shaped limiting backyard use, the variance will not impact the neighbors negatively as there will still be amble room to the rear lot line. Ayes 4, Nays 0. Motion carried.

Code Updates: Motion was made by Lief Hughes and seconded by Janet Hughes to move this item to the next meeting (September 16). Ayes 4, Nays 0. Motion carried.

Winter Parking Ordinance: Spafford put together a summary spread sheet showing how other towns handle winter parking. After researching procedures, it was clear Eyota's current restrictions is the best practice for city resources and to be cost effective. This spread sheet can be used as a reference for future questions. Spafford verified that after speaking with the original concerned citizen, current procedures and restrictions are understood and no additional action is requested or needed. This will not be going to Council again; keep the current ordinance in place. See "Exhibit C"

Other Business: It was noted that there is no update on any activity regarding Rick Vehrenkamp's land.

Adjourn: Motion was made by Lief Hughes and seconded by Janet Hughes to adjourn the meeting. Ayes 4, Nays 0. Motion carried. Meeting was declared adjourned at 8:25 p.m.

Marlis Knowlton

Marlis Knowlton, Clerk/Treasurer