

MINUTES OF THE
AUSTIN CITY PLANNING COMMISSION REGULAR MEETING
TUESDAY, DECEMBER 10, 2002

MEMBERS PRESENT: Rich Bergstrom, Jack Rosenberg, Sue Grove, Roger Stratton, Janet Anderson, and Glenn Mair

MEMBERS ABSENT: Brian Johnson, Gordy Kuehne, and Sue Howard

OTHERS PRESENT: Community Development Director Craig Hoium and City Attorney Craig Byram

In Commission Chair Johnson's absence, Commission Member Grove called the meeting to order at 5:37 p.m., December 10, 2002, in the Austin City Council Chambers located at 500 4th Ave. N.E., Austin, Minnesota.

Motion to approve the November 12, 2002 minutes was made by Commission Member Anderson. Motion was seconded by Commission Member Rosenberg. Unanimous Ayes. Motion carried.

- 1.) **OPEN PUBLIC HEARING: To consider a request from the Minnesota Department of Military Affairs, 15000 Highway 11, Little Falls, MN, for a conditional use permit for the installation of two 1,000 gallon above grade liquid petroleum storage tanks at the Austin National Guard Armory, 800 21st St. N.E. This action is pursuant to Austin City Code Section 11.55, Subd. 3(G) and (H), which conditionally permits the storage of Class I & II liquids for properties located within an "A-1" Agricultural, Recreation, and Conservation District.**

Mr. Hoium reviewed the request. To the north of the site is the Interstate 90 right-of-way, to the south and east is the municipal airport, and to the west is Highway 218/21st St N.E. with a combination of commercial and single-family land uses. City Code Section 11.55 Subd. 3 lists above ground storage tank land-uses as conditional uses in an "A-1" District. In most cases the reason for these requests is that the facility would like back-up fuel to operate their facilities. There are specific regulations for the placement of these types of tanks, which are listed in the N.F.P.A. Life Safety Code, and they address certain distances from public ways, structures, and the required fence heights. The code provisions must be in compliance if the Planning Commission should choose to approve this request. In the staff report Mr. Hoium included conditions the Planning Commission may want to consider if they choose to approve this request.

1. The Austin Fire Chief will submit a letter of approval to the Planning & Zoning office for verification of compliance to the MN Fire Code and the N.F.P.A. Life Safety Code.
2. Adequate fencing shall be provided entirely around the storage tanks in compliance to the N.F.P.A. Code. Fencing shall meet the approval of the Planning & Zoning office.
3. Documentation from the State Fire Marshall's office with a placement of these tanks shall be submitted to the Austin Planning & Zoning Office if so required by the Austin Fire Chief.

Notification of this public hearing was publicized in the local paper and mailings were sent out to property owners within 350-feet of this property. Mr. Hoium did not receive calls speaking in favor or against this hearing. The proposed location of the storage tanks is directly east of the armory building with a fence and gate for access. Mr. Hoium said there would be a vaporizer included also. Mr. Hoium believes there may be an underground tank there now which will be removed. The architectural firm TSP will be doing the design work for this project.

Motion was made by Commission Member Mair to approve the conditional use permit with the recommended conditions, as it does not create any excessive burden, the distances are compatible, there is an acceptable appearance and appropriate land use, and no apparent traffic hazards. Motion was seconded by Commission Member Rosenberg. Unanimous Ayes. Motion carried. Mr. Hoium reminded the Commission of the 15-day appeal period before the project can be started.

2.) OPEN PUBLIC HEARING: To consider a request from Sacred Heart Care Center, Inc., 1200 12th St. S.W., for a conditional-use permit pursuant to Austin City Code Section 11.31, Subd. 3(B). This request has been petitioned for to accommodate the proposed construction of a 28-foot by 64-foot adult daycare building addition to this conditionally permitted land-use in an "R-2" Multi-Family Residence District.

Mr. Hoium reviewed the request. City Code Section 11.31 Subd. 3(B) lists conditional uses in an "R-2" Multi-Family Residence zoning district of which a nursing home is a conditional use in this district, and so requires this public hearing. The surrounding land uses to the north, east, & west are "R-1" Single-Family Residence Districts. In 1995 the Planning Commission reviewed another conditional use permit amendment for an assisted-living care wing addition to Sacred Heart. For this proposed addition the contractor was unaware of the need for the conditional use permit hearing, and he is under some tight time constraints. Mr. Hoium told the contractor that he could start the foundation portion of the project, but if the Planning Commission or Board of Appeals were to deny the request that the work already done would have to be removed or it would become a concrete patio. The proposed addition is off of the northwest corner of the existing building. The 28-foot by 64-foot addition will be a combination of offices, restrooms, activity rooms and a vestibule or entrance area. Notification of this public hearing was publicized in the local paper and mailings were sent out to surrounding property owners of this property. Mr. Hoium received one call from Jana Peterson who owns the property just south of Sacred Heart, who had questions as to the location of the proposed addition. In the staff report Mr. Hoium included four recommended conditions the Planning Commission may want to consider if they choose to approve this request.

1. To verify that off-street parking requirements are in compliance with Section 11.70 of City Code.
2. That any signage within the scope of this project be cleared through the Planning & Zoning office.
3. A landscape plan must be submitted to the Planning & Zoning Office for approval.
4. The exterior finish of the proposed addition be similar to the existing structure on the site.

Commission Member Anderson asked about off-street parking allowances- what amount would really be necessary considering the proposed use of this addition. Mr. Hoium said there are specific factors used for specific land-uses. Mr. Hoium said he will be reviewing the parking needs as part of the permit application process.

Harry Willmott, of 305 21st St. N.W., is on the board of directors and on the building committee for Sacred Heart. He said there would be no additional staff added with this proposed project so there would probably be no additional parking needed because of that. They are basically re-arranging the present facilities and making more room for the daycare. The entrance on the west side will also be updated.

Motion was made by Commission Member Anderson to approve the amendment to the existing conditional use permit for this proposed building expansion including the four staff recommendations: off-street parking, signage, landscape plan, and exterior finish materials, as it will be an asset to the community. Motion was seconded by Commission Member Bergstrom. Unanimous Ayes. Motion carried.

OTHER BUSINESS

Mr. Hoium said the meetings regarding the Downtown Historic Preservation District will probably be held in February or March of 2003. The State Historical Society will be represented at the meeting along with representatives from other communities who will review the economic effects of Historic Preservation on their community's economy. Mr. Hoium is hoping for a good turnout from the downtown business owners along with the City Council and Planning Commission members.

There will also be a workshop with the Land-Use Attorney to give the Planning Commission insight into requested variances and conditional use permits along with the legal aspects of them. These workshops will also be scheduled in early 2003.

Mr. Hoium wished the Planning Commissioners a nice holiday season with safe travel and a Happy New Year.

ADJOURN

Motion was made to adjourn by Commission Member Rosenberg. Motion was seconded by Commission Member Mair. Unanimous Ayes. Motion passed. Meeting adjourned at 6:00 p.m.