



PLANNING COMMISSION MEETING MINUTES

MONDAY, May 16, 2022

6:00 PM

Members present were Commissioner Albers, Commissioner Campbell, Commissioner Jackson, Commissioner Temple, Commissioner White and Chair Ackman

Members Absent: None

1. Call to Order\Approve Agenda

Chair Ackman called the meeting to order at 6:00 p.m. No motion was made to approve the agenda.

2. Approve the May 2, 2022 Regular Meeting Minutes.

Chair Ackman requested a motion to approve the meeting minutes of May 2, 2022 which was brought by Commissioner Campbell and seconded by Commissioner Temple as written. Motion carried on a 5/0 vote.

Commissioner Jackson arrived at 6:04 p.m.

3. Public Hearings

A. Application for a Conditional Use Permit for Development in the Shoreland Protection District for a Building Addition at Taco John's at 1431 4th Street NW)

Waldock began his presentation stating that the City received an application for a CUP for Shoreland Development and Site Plan approval for a 326 SF addition planned for the north end of the existing restaurant. The improvement will also reconfigure the interior layout for the kitchen and dining area.

Waldock explained that the shoreland overlay lines goes right in the middle of part of the building and is due to Crocker's Creek. Site was built in 1984 and prior to the Shoreland District. The plan does not increase impervious surface coverage. The parking will be reduced by two spaces and the UDO requires 15 but they have proposed 19. There will need to be some future zoning with Parcel 2 which will result in a lot combination. The DNR had no comments. Plan is to rezone first and then do lot combo. DRC recommends approval of the application with the proposed conditions 1: complete the proposed building addition according to the codes and 2) maintain the property in

good condition in addition to the six standard conditions. Waldock showed the depictions of the exterior façade. Waldock noted that Brett Itterman was here on behalf of the applicant for further questions.

Chair Ackman then opened the matter up for further discussion. Commissioner Albers asked about the outdoor seating. Waldock stated that it will reduce the space but deferred to Mr. Itterman for further comment. Mr. Itterman did come forward and stated that they plan on eliminating the outdoor seating space.

Chair Ackman opened the matter up for public hearing at 6:09 p.m. Mr. Itterman then stated that they purchased the property several years ago and are going through rebranding and updating to the new façade.

Chair Ackman then closed the public hearing at 6:15p.m. and brought it back to the commission for further discussion. Having none, Commissioner White made a motion, seconded by Commissioner Campbell to recommend approval of the Draft Resolution to include the outlined findings and conditions of a Conditional Use Permit for development in the Shoreland Overlay District for an addition to Taco John's Restaurant at 1431 4th St. NW.

Chair Ackman wanted to make note that absent the line would this CUP be here at all. Waldock confirmed that the line is the reason. This is only in front of the commission because of the shoreland. Motion carried on a 6/0 vote.

Will be before the Council next Wednesday to take action.

B. City of Faribault Application to Amend Ordinances related to the City's Municipal Separate Storm Sewer System (MS4) Permit

The City's Municipal Separate Storm Sewer System (MS4) permit, which is a required permit administered by the MN Pollution Control Agency (MPCA) and mandated by the Federal EPA, expired in 2018 and was reissued in 2020. The City received approval of the City's renewal application in October 2021 and has 12 months from that date to update City ordinances/policies/etc. to be in permit compliance. The proposed ordinance changes required to be adopted by the City Council in order for the City to become MS4 permit compliant. As part of the proposed ordinance changes related to the City's MS4 permit, City staff is also recommending the Council adopt a Developer's Guide for Stormwater Management guidebook which is referenced numerous times in the proposed ordinance changes. This guidebook is intended to be a one-stop shop for all things stormwater/surface water related for builders and developers and is intended to synthesize city codes and state/federal/local permit requirements into one place. This guidebook replaces many of the permit level details that are currently in city ordinances. The permits are good for 5 years

The ordinance updates are in Chapter 28 and by reference. The changes removed a lot of really specific site plan language. Another change was to the illicit discharge's

change is specific to salt storage and staff is recommending 100ft separation from a public water i.e. rivers streams but catch basins. Commissioner White asked about a berm to be possible to mitigate the separation. DuChene said yes. Commissioner Jackson asked about Bauer Restoration's discharge into the river; is this limited to only salt storage? DuChene said not at this time. There is no salt chloride discharge area. The state is concentrating more up north on the wild rice area at this time.

Both the Environmental Commission and Council agreed that any grading permits are necessary on any disturbance over 5,000 sf.

Also updated the surface water management plan. Model was created for 100-year plan. New rainfall data based on more current information. Modeled flood inundation area. Assessment of problems and issues and set new goals and policies.

Chair opened the matter up for discussion and asked that this is the public hearing portion. Commissioner Jackson asked about putting drains around ADA ramps. DuChene the requirements are strict and to put a catch basin by these is difficult because the ramps are so flat. Suggested to contact legislature.

Temple asked what pieces of this new ordinance is based on mediating local effects of climate change? DuChene stated that we are designing to higher rainfall event; under the best water management practices the first consideration is infiltration to recharge the aquifers which then ties into the shoreland overlay for impervious surface. Staff has attempted to push for more greenspace and pervious surfaces and promote canopies. It's a balance between wanting to promote climate resiliency but not completely shutting down development.

Chair opened up the public hearing at 6:38 and then closed at 6:39, no one was in the audience.

Chair is looking for a recommendation. White moved to recommend that the City Council approve Ordinance 2022-xxx Amend Ordinances related to the City's Municipal Separate Storm Sewer System (MS4) Permit and added that it was a great presentation and follows the standards and it's better for developers. Albers seconded the motion. Albers commended the staff for this huge undertaking and stated he was impressed with it being very nicely done.

Motion carried on a unanimous vote.

5. Adjournment

Chair Ackman requested a motion to adjourn. Commissioner Jackson made the motion seconded by Commissioner Temple. Meeting was adjourned at 6:41 p.m. Motion carried on a 6/0 vote

Dated May 16, 2022.

By

Kari Casper, Recording Secretary