



PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS

MONDAY, JULY 17, 2023

6:00 PM

1. Call to Order
2. Approval of the Minutes June 26, 2023 Special Meeting Minutes
3. Public Hearings
 - A. Application for a Conditional Use Permit for an outdoor dining patio for Redemption Restaurant at 31 3rd St NE (continued from June 26, 2023)
4. Board and Commission Reports, Announcements and Updates
5. Adjournment

Please contact the Departments of Community & Economic Development at 507-334-0100 if you need special accommodations to participate in this meeting.



PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS

MONDAY, JUNE 26, 2023

6:00 PM

Meeting Items

1. Call to Order

The meeting was called to order by Chair David Campbell at 6:01 p.m. In attendance were Commissioners, Chuck Ackman, Michael Salt, Samuel Temple, and Steve White. Absent were Commissioners Eric Delgado and Barton Jackson. Staff present for the evening were Peter Waldock, David Wanberg and Kari Casper.

2. Approval of the Minutes

Chuck Ackman made a motion to approve, seconded by Michael Salt. The motion passed on a 5/0 vote.

3. Public Hearings

A. Application for a variance from the side yard setback requirements to construct a garage addition less than 10 feet from the property line at 1717 Shumway Ave.

Waldock began his presentation of Tinaglia's request for a side setback variance for a third stall to their garage at 1717 Shumway Avenue, Faribault. In order to recommend the variance, there needs to be a list of seven findings from the Unified Development Ordinance. Waldock stated that the Development Review Committee did not find all seven, and, in particular, did not find the uniqueness of the request. As a result of the DRC's conclusion, the staff recommendation was to deny their request.

Chair Campbell then opened up the public hearing at 6:11 p.m. and Daniel and Angie Tinaglia came forward to explain that Mr. Waldock did a great job on his presentation and went on to point out that the uniqueness of the situation is that the lot is "pie shaped". The front part of the yard is narrower than the back. Mr. Tinaglia also pointed out that the request for the third stall is not unique to the neighborhood as there are several other homes in that area that have a third stall. Mrs. Tinaglia also mentioned that there are no sidewalks in the area and Mr. Tinaglia also mentioned that several vehicles had hit people in that area. This would allow them to have their third vehicle off the street and provide a better site line. Chair Campbell then closed the public hearing at 6:17.

Chuck Ackman gave a historical memory of when the area was being discussed in the platting process and has seen it evolve over time. Ackman mentioned that he remembers the reasons for the shapes which made sense at the time, but, since then, the neighborhood has grown with the addition of Shattuck, which changed everything. Ackman stated that he understands why staff has to be strict on the side yard setbacks and that the Council has more leeway. Ackman stated that when he came here he was thinking he was going to deny this request but, after hearing the applicants discuss the shape, he had changed his mind. With that being said, Steve White moved for passage of this. Sam Temple seconded this with his conclusion. Chair Campbell asked staff to clarify what they were approving. Waldock responded that they would approve page 7 of the draft to approve the findings and recommend approval by the Council. White then wanted to say

that his approval would be for No 4 because of the unique circumstances that it's a safety issue just because of the site lines and safety on the street. Ackman stated that part of why he did this is because of the uniqueness of the request and wanted to make sure that the group was comfortable approving this. Temple stated with the totality of the circumstances, confirmed that he is comfortable with approving this. Chair Campbell agreed that these side yard setbacks need to be followed but we have to determine if it's unique enough and with this it's the safety of the curvature of the road and the narrowness of the lot makes it unique enough.

A motion was made by Steve White, seconded by Sam Temple to recommend approval of the Variance request to City Council. The motion passed on a 5/0 vote.

B. Application for a Conditional Use Permit for an outdoor dining patio for Redemption Restaurant at 31 3rd St NE

Waldock stated that the applicants have asked to continue the public hearing to July 17th to also show a canopy cover. The application is for a patio on the west side.

Staff stated that they could take action on this tonight or keep the public hearing open until the 17th.

Chuck Ackman was worried about setting a precedent that other developers would come forward with a similar request. His recommendation would be to keep it open to hear it on the 17th. Chair Campbell then opened the public hearing at 6:33 p.m.

Chuck Ackman made a motion to table the matter to have an opportunity to see the revisions before making their recommendation to the 17th. Sam Temple concurred and seconded the motion. The motion carried on a 5/0 vote.

4. Board and Commission Reports, Announcements and Up

Chair David Campbell added that Sage came to the EDA requesting a loan in the amount of \$100,000.00 and after much discussion, the EDA decided to approve a loan in the amount of \$50,000. Wanberg added that at the last City Council meeting, they approved all the recommendations.

5. Adjournment

Sam Temple made a motion to adjourn at 6:36 p.m., seconded by Michael Salt. The motion passed on a 5/0 vote.

Respectfully submitted,

By: _____
Kari Casper, Recording Secretary



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: Dave Wanberg, Community and Economic Development Director
FROM: Peter Waldock, Planning and Zoning Coordinator
MEETING DATE: July 17, 2023
SUBJECT: Application for a Conditional Use Permit for an outdoor dining patio for Redemption Restaurant at 31 3rd St NE (continued from June 26, 2023)

Background:

At the June 26, 2023 meeting, the Planning Commission opened a public hearing to consider the proposed Conditional Use Permit for a new outdoor dining patio located on the west side of Redemption Restaurant, 31 3rd Street NE. The owners requested a continuance to allow time to revise their plans for the patio area. The Planning Commission voted 5/0 to continue the public hearing to the next meeting, July 17, 2023.

The City has not yet received updated plans and application materials for the proposed Conditional Use Permit. For this reason, the matter should be continued indefinitely to allow the owners time to provide the revised plans for the dining patio. The City can extend the review period until October 20, 2023. The proposal will need to be withdrawn, approved or denied prior to that date.

Recommendation:

Motion to continue consideration of the Conditional Use Permit indefinitely.

Attachments: