

**MINUTES OF THE REGULAR MEETING
PLANNING COMMISSION
LITTLE CANADA, MINNESOTA**

APRIL 8, 2021

Pursuant to due call and notice thereof a regular meeting of the City Council of Little Canada, Minnesota was convened on the 8th day of April, 2021 in the Council Chambers of the City Center located at 515 Little Canada Road in said City.

Chair Nick Schwalbach called the meeting to order at 5:05 p.m. and the following members of the Planning Commission were present at roll call:

PLANNING COMMISSION: Johnson, Kwapick, Schwalbach, Buesing, Thorson, and Quarries. Absent: Kulosek.

ALSO PRESENT: Community Development Director/ Planner Corrin Wendell

In accordance with the requirements of Minn. Stat. Section 13D.021, the City Administrator has determined that an in-person meeting is not practical or prudent because of a health pandemic or an emergency declared under Chapter 12 of the Minnesota Statutes.

Because of the health pandemic and emergency declaration, it has been determined that attendance at the regular meeting location by elected officials and members of the public is not feasible. Therefore, some or all of the City Council members may be participating by telephone or other electronic means. This meeting will be recorded in its entirety.

Members of the public may monitor the meeting on the CTV North Suburbs website (live stream) or use the meeting link provided on the city website prior to the meeting.

ADOPT AGENDA

The agenda was approved as presented.

MINUTES

Commissioner Buesing made a motion to approve the March 11, 2021 Planning Commission minutes as submitted. Commissioner Johnson seconded the motion. The motion was unanimously approved.

OPEN TO THE PUBLIC

No comments.

PUBLIC HEARINGS

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None.

COMMISSION BUSINESS: CONDITIONAL USE PERMIT – 2558 RICE STREET #1399

The Community Development Director presented a request for a conditional use permit for a massage therapy business to be located at 2558 Rice Street, which is within the B-3 general business district. She stated that massage therapy is allowed as a principal or accessory use provided that the business meets the conditions reviewed within the staff report and provided an overview. She stated that the public hearing will be held at the April 28th City Council meeting and asked the Commission for its consideration of the conditional use permit.

Chair Schwalbach asked and received confirmation that no members of the public were present to speak on this item.

Commissioner Kwapick asked if there is another similar business in this property or a neighboring property on Rice Street.

The Community Development Director replied that there was a similar business in a neighboring property, but that business is no longer in operation.

Thorsen introduced the following motion:

RECOMMENDING THE APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW MASSAGE THERAPY, LOCATED AT 2558 RICE STREET, PARCEL ID 072922220115.

The foregoing motion was duly seconded by Kwapick.
Ayes (6). Nays (0). Motion passed.

COMMISSION BUSINESS: ZONING CODE DRAFT ITEMS PACKET

The Community Development Director stated that Mr. Weber will provide an overview and she will then discuss engagement opportunities.

Bill Weber stated that a memorandum was included in the packet that provides an update to the City Council on the process thus far and provided a brief overview. He stated that the information will be presented at the Council meeting the following week to gain their input.

The Community Development Director confirmed that some members of the Council have been following the discussion of the Commission but next week will be the first review and discussion by the Council to gather feedback.

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Mr. Weber stated that the discussion tonight will focus on chapters 907 through 913 and commented that some of those sections will remain unchanged. He reviewed the proposed amendments within those chapters.

The Community Development Director commented that input has been provided from the City Clerk and City Administrator throughout this process.

Mr. Weber continued to provide an overview of the proposed amendments.

Commissioner Kwapick commented that accessory dwelling units could be a good idea to house elderly family members and therefore having those requirements would be a good idea. He referenced the size threshold of less than 40 percent of the principal dwelling structure and asked if accessory dwelling structures are ever constructed with basements or underground living space. He asked where the threshold came from.

Mr. Weber commented that it was most likely found in another zoning ordinance. He stated that he has read about accessory dwelling structures but has not seen one in person. He stated that Minneapolis and Saint Paul have more accessory dwelling structures. He stated that he would doubt there would be a basement.

Chair Schwalbach commented that the lots in his area are 100 feet wide and therefore it would be hard to imagine accessory dwelling structures in this area. He noted that in Saint Paul and Minneapolis there are often alleyways to provide access, rather than to have that type of structure placed between homes with no separate access. He commented that he is not opposed to the idea.

Mr. Weber commented that sometimes those types of dwelling units are sold as “granny units” but was unsure how often they are used for that purpose.

Chair Schwalbach commented that he would think the units would most likely be used to generate income. He referenced the restrictions on parking and snowmobile registration and asked how that would be regulated and enforced by the City.

Mr. Weber commented that would most likely be based upon complaints by neighbors.

The Community Development Director commented that the use would be allowed if the property meets compliance. She stated that if there is a situation that needs inspection or remedy, staff would handle that through code enforcement. She stated that because of the lot size she would not imagine there would be many requests and staff would review the regulations with the property owner to ensure it is done right from the start.

Mr. Weber commented that the intent would not be to market this as an allowed use but have language in place in case a request comes through.

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Chair Schwalbach stated that he will be curious to the input of the Council on that concept. He noted that the City did have a discussion related to “granny pods” within the past five years and the consensus was not to allow that type of structure.

Mr. Weber commented that “granny pods” are a different type of use and explained that those are trailers parked in the driveway to provide care for someone, whereas accessory dwelling units would be constructed structures. He stated that the “granny pod” legislation provided municipalities with the option to opt in or opt out and many communities chose to opt out.

The Community Development Director invited members of the Commission to attend the Council workshop the following week if desired.

Mr. Weber continued to review the proposed amendments.

Commissioner Buesing commented that if something is permissible by code, even if there are complaints from residents or the Council, the item would still be permissible by code.

Chair Schwalbach commented that even if something is permissible by code, if there are comments against an element, the developer often changes the plan because of those comments even though it is an issue of preference and does not always provide a better plan. He recognized there is a balance between the two sides. He noted that this issue would be further discussed at a future meeting.

Mr. Weber commented that there is draft information within the packet for the proposed changes to reviews, including those that would be proposed to have administrative review in order for the group to review that information to prepare for the discussion in June.

Commissioner Kwapick asked if there would be specific development requirements related to craft brewing and/or distilling.

The Community Development Director commented that that was a discussion in the past from a past applicant but noted that unfortunately the space that applicant desired fell through. She stated that the language was still included in this review.

Mr. Weber confirmed that the existing language just stated brewery and the additional language of distillery and taproom were added. He stated that specific development requirements were not added as those activities are already heavily regulated by the State. He stated that it was clarified as to where that would be a permitted use.

Commissioner Johnson referenced the school on Country Drive and stated that it would seem that under the new code that would be a permitted use and would not have a public hearing and

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therefore that would not seem to have community input. She stated that type of situation is unique in that it is a busy use that abuts a residential area.

Mr. Weber commented that community input would still be allowed through staff, similar to any site plan that would be proposed to be reviewed by staff. He recognized that those uses generate a lot of traffic.

Commissioner Johnson asked if the previous school was a conditional use permit which is why it came before the Planning Commission and whether that type of use would be reviewed by the Commission in the future.

Chair Schwalbach commented that the school on Country Drive was within a commercial district.

Commissioner Johnson commented that she was simply using that as an example of an issue that the community wanted an opportunity to have input and be heard. She recognized the desire to streamline the process for certain types of applications but stated that some applications would still benefit from the opportunity for public discussion.

Mr. Weber commented that perhaps there should be a tool that would allow staff to defer the application to a review by the Planning Commission and Council. He noted that there could be a trigger, such as a level of public comments.

The Community Development Director agreed that there could be thresholds developed that would trigger an application to go before the Commission and Council. She provided an overview of the engagement schedule involving business owners. She provided additional details on those included in the business community outreach thus far and noted that she will also have a focus group of small business owners in May. She reviewed the themes identified thus far by the business owner stakeholder group.

Mr. Weber commented that he is pleased with the feedback received and noted that it seems that the amendments seem to be on track for the business community. ‘

Commissioner Johnson thanked the Community Development Director for including this portion. She stated that often changes are implemented without gaining input from the business community that is impacted. She stated that the input is very valuable.

The Community Development Director agreed that engagement is an important process and provides valuable input from different perspectives.

Mr. Weber asked if there are any neighborhood groups or block captains as that could be another group of stakeholders.

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The Community Development Director noted that she could look into that further related to National Night Out.

Commissioner Johnson noted that there is a Little Canada community page on Facebook and there is also a group on Nextdoor.

REPORT FROM STAFF

The Community Development Director noted that the decision was made previously to review the meeting time in April and asked if there is a desire to change the meeting time or whether the Commission would like to continue with the 5:00 p.m. meeting time.

It was the consensus of the Commission to continue with the 5:00 p.m. meeting time.

Commissioner Buesing asked if the meetings will continue to be virtual or return to in person.

The Community Development Director commented that she will speak with other staff members and provide an update in the future related to in person meeting attendance.

REPORTS FROM COMMISSIONERS

No Comments.

There being no further business, the meeting was adjourned at 6:42 p.m.

Respectfully submitted,

Amanda Staple
TimeSaver Off Site Secretarial, Inc.