

**City of Cottage Grove  
Planning Commission  
April 26, 2004**

Pursuant to due call and notice thereof, a regular meeting of the Planning Commission was duly held at City Hall, 7516 – 80th Street South, Cottage Grove, Minnesota on the 26th day of April 2004 in the Council Chambers and telecast on local Government Cable Channel 16.

**Call to Order**

Chairperson Bailey called the meeting to order at 7:00 p.m.

**Roll Call**

Members Present: Myron Bailey, Ken Brittain, Rod Hale, Robert Hudnut, Shannon Nitsch, Chris Reese, Alberto Ricart, Bob Severson

Members Absent: Tim Booth (excused)

Staff Present: Howard Blin, Community Development Director

**Approval of Agenda**

*Motion by Severson, seconded by Hudnut to approve the agenda. Motion seconded unanimously.*

**Open Forum**

Chairperson Bailey asked if anyone wished to address the Planning Commission on any non-agenda item. No one spoke.

**Chair's Explanation of the Public Hearing Process**

Chairperson Bailey explained the purpose of the Planning Commission, which serves in an advisory capacity to the City Council, and the City Council makes all final decisions. In addition, he explained the process of conducting a public hearing and requested that any person wishing to speak should come to the microphone and state their full name and address for the public record.

**Public Hearings**

**6.1 CASE SP04-016 and CUP04-017**

**Lowell Zitzloff has applied for a site plan review of a 15,260 square foot auto body repair shop building to be located at 7515 – 95th Street South and a conditional use permit to allow temporary outdoor storage of customer vehicles in a secured parking area.**

Blin presented the staff report and recommended approval subject to the conditions stipulated in the staff report. Joy Brasher, Mike Brasher, and Lowell Zitzloff, owners and developers of the project, described the site and architectural plans.

Bailey asked for further clarification of the fencing proposed around the storage area. Zitzloff responded that it would be eight feet high and made of a vinyl-coated wood product with landscaping to help buffer the area. He then stated that the design of the auto body repair facility was based on an existing facility in Shakopee and he passed out pictures showing that facility. Bailey asked about the color of the fence. Brasher stated that the fencing material is a composite material and that they would use whatever color was acceptable to the city. He reiterated that vehicles would not be parked in that fenced parking area for a long duration of time.

Hale asked if the secured vehicle storage area would be impervious surface or gravel. Brasher stated that it would be paved. Hale then asked if there were plans to illuminate that area. Brasher responded that there would be one directional light facing toward the building pointing toward the ground. Hale asked if there were any objections from Public Safety regarding the two entrances to the property. Blin stated that early in the process, staff identified that there should only be one access because 95th Street is a collector road and the city tries to minimize access onto collector roads. Hale then asked if 30 feet was wide enough for the single access. Brasher responded that staff asked that they eliminate one of the accesses and enlarge the single access to 32 feet, which they agreed to do.

Brittain asked about the odor generated and if the air is treated, realizing that the MPCA does not have any issues with releasing 55 to 70 gallons of VOCs a year. Zitzloff explained that volatile organic compounds (VOCs) are a problem in the liquid stage when being sprayed and paint companies have started using high solid material and HVLP spray guns. He then displayed the specifications on the spray booth that they will be using.

Hudnut asked if there were any other concerns brought up at the neighborhood meeting. Brasher responded that the neighbors asked questions about emissions, odors, and noise.

Reese asked how close the building would be to the homes. Blin stated that property line to property line is 280 feet, and building to building would probably be over 400 feet. Reese then asked if there would be anything around the vehicle storage area that prevent runoff of automotive fluids into the stormwater pond. Zitzloff stated that typically most of the fluids have leaked out of vehicles prior to their arrival at the repair facility.

Hale asked what they do with the waste that accumulates inside the facility. Brasher stated that vehicle fluids are collected in drain pans, unusable coolant is disposed of in the proper fashion, Freon from air conditioning systems is recovered and recycled, and paint waste is collected in a 55-gallon barrel and disposed of once a year.

Nitsch asked where the barrels are stored. Brasher stated that the barrel is stored inside the building.

Reese asked about hours of operation. Brasher stated that their current hours of operation are 8:00 a.m. to 5:30 p.m. and on Saturdays by appointment for estimates only.

Brittain asked for details on the fire suppression system. Zitzloff stated that it would be either dry chemical or water, but that has not been decided yet.

Hudnut asked if they would have professional help with the landscaping. Zitzloff responded yes.

Brittain asked if there would be an irrigation system on the site. Blin stated that an irrigation system is required.

Bailey asked about the size of the signage. Zitzloff responded that they would abide by the city's sign ordinance. He stated that there would be a monument sign in front and up to 150 feet of signage on the building.

***Bailey opened the public.***

Dan Pendar, 7473 – 96th Street South, stated that his main concerns are emissions and noise. He asked how often the filters would be changed and about the disposal method for those filters. Zitzloff responded that the filtration system is run by computer, which automatically shuts the booth down when the filters need changing. He stated that they also have a regular maintenance schedule for various components. Pendar asked how the dust from removing old paint was be collected. Zitzloff stated that Minnesota codes suggest vacuums systems within body shops, and they are currently looking at their options. Pendar then asked about decibel measurements at various increments away from the building, if hearing protection was required for employees, and if the sound resonates outside the building. Brasher responded that they do not have decibel readings. He stated that they provide ear protection and other safety equipment for their employees. He then explained that the materials that the building would be constructed of would keep most of the sound within the building so it would not permeate out into the surrounding area.

***No one else spoke. Bailey closed the public hearing.***

***Hudnut made a motion to approve the applications subject to the conditions listed below. Severson seconded.***

Brittain noted that in the staff report, it was recommended that the trash enclosure plan be modified to include bollards in front of the enclosure but that is not in the conditions of approval. Blin stated that could be added. Brittain suggested adding that language to condition #3, which talks about the trash enclosure. Hudnut and Severson agreed to amend the resolution by adding that language to condition #3.

- 1. All applicable permits (i.e., building, electrical, grading, etc.) must be applied for and issued by the City prior to any work or construction taking place. Detailed construction plans must be reviewed and approved by the Building Official and Fire Marshal.***

- 2. Installation of landscaping must occur in a timely fashion and be consistent with an approved landscaping plan. A letter of credit in the amount of 150 percent of the landscape estimate must be submitted to the City as required by City ordinance (Title 11-6-6(f)). The financial guarantee must be in effect for one year from the date of installation to ensure the installation, survival, and replacement of the landscaping improvements.**
- 3. Trash dumpsters must be kept in an approved trash enclosure as regulated in Title 11-6-3, Solid Waste Storage of the City Codes.**
- 4. All outdoor lighting must be directed downward and away from abutting property.**
- 5. Rooftop mechanical equipment must be screened from view with materials similar to or compatible in design and color with those used on the primary structure.**
- 6. A radio-read water meter must be installed.**
- 7. An eight-foot bituminous trail paralleling 95th Street must be constructed for the entire width of this property. Handicap/pedestrian ramps are required at all trail and sidewalk connections to drive aisles and parking areas.**
- 8. A "STOP" sign must be installed at each exit lane that connects to 95th Street. Each sign must be 10 feet from the roadway edge and 2 feet from the driveway edge. The bottom of the sign must be six feet from the ground. The "STOP" sign must be a 30-inch sized sign having a high intensity face. Said sign must be mounted on a 6 foot – No. 3 and 8 foot – No. 2 steel post. The applicant may request the City's Public Works Department to install said "STOP" signs, but must reimburse for actual costs incurred by the City.**
- 9. A concrete driveway apron compliant of city standards must be constructed at the access drive.**
- 10. Erosion control devices must be installed prior to commencement of any grading activity. Erosion control must be performed in accordance with the recommended practices of the "Minnesota Construction Site Erosion and Sediment Control Planning Handbook" and the conditions stipulated in Title 10-5-8, Erosion Control During Construction, of the City's Subdivision Ordinance.**
- 11. The applicant submit a final construction management plan that includes erosion control measures, project phasing for grading work, areas designated for preservation, a crushed-rock construction entrance, and construction-related vehicle parking for staff review and approval prior to issuance of a grading permit.**
- 12. A pre-construction meeting with City staff and the contractor must be held before site work begins. The contractor must provide the City with a project schedule for the various phases of construction.**

- 13. Damaged vehicles in various stages of repair must be stored inside the building or the secured vehicle storage yard. Auto parts are strictly prohibited from being stored outside the building.**
- 14. All vehicle access doorways into the building must be closed, except to allow vehicles to enter/exit the building.**
- 15. All auto repair and painting operations must comply with Minnesota Pollution Control Agency requirements.**
- 16. The applicant must obtain a grading permit and a National Pollutant Discharge Elimination System II (NPDES II) permit.**
- 17. The applicant must obtain a right-of-way permit from the Public Works Department before any site grading or construction begins on the property.**
- 18. The maximum slopes in the pond area must not exceed a 3:1 ratio and the standard skimmer structure in the southeast corner of the detention pond must comply with city design standards.**
- 19. The rip-rap spillway must extend from the curb openings to the pond's normal water elevation.**
- 20. The earthen-berm along the south side of the stormwater detention pond must be a minimum of eight feet in width.**
- 21. The minimum landscaping requirements required by City Codes must be complied with. A revised landscape plan must be submitted to and approved by the Community Development Department before a building permit is issued. Ground-mounted mechanical equipment and/or utility cabinets over 30 inches in height or greater than 12 cubic feet must be screened with landscaping, bermed, or screened with a wall or fence.**
- 22. Access to the site from 95th Street is limited to one. The site plan must be revised showing one access drive that is a minimum of 32 feet wide. The curb radius should be 30 feet. A concrete driveway apron compliant with city standards must also be shown on the development plans.**
- 23. The developer must pay a park fee in lieu of land dedication that is four (4) percent of the fair market value of the property. Payment of this park fee must be made to the city before a building permit is issued.**
- 24. An opaque fencing material must be constructed around the secured vehicle storage yard. The height of this fence must be a minimum of 8 feet and not higher than 10 feet. A chain-link fence with slats woven in the fence is not acceptable.**

**Motion passed unanimously.**

## 6.2 CASE CUP04-021

**The Adkins Association Inc. Architects have applied for a conditional use permit to allow the installation of an emergency generator at Qwest's Cottage Grove Central Phone Switching Office at 7606 – 80th Street South.**

Blin summarized the staff report and recommended approval subject to the conditions stipulated in the staff report.

Severson asked if the generator was diesel and about the fuel capacity. A representative from Qwest stated that fuel capacity for the diesel generator is about 1,000 gallons. Severson asked about the horsepower. The Qwest representative responded that it is a 350 prime, which is about a normal 400 k.w. generator.

Hale asked if the fuel would be stored inside the structure. The Qwest representative responded that the double-wall closed tank sits on structural rails on the bottom of the structure.

Ricart asked where the exit door was located in relation to the exit door of the existing building. The Qwest representative pointed out the location of the doors on the site plan.

Brittain asked how loud the generator would be. The Qwest representative stated that the generator would meet MPCA requirements, which calls for 60 dba during the day and 50 dba at night.

Bailey asked if the intent is to use the generator for emergencies when the power goes out. The Qwest representative stated that Qwest has a contract with Xcel Energy to go off-line on peak energy use days.

Brittain asked how fuel would be delivered. The Qwest representative responded that a fuel vendor would deliver it in a fuel truck to the locked gas cap on the wall of the building. Brittain asked if there was some type of spill prevention. The Qwest representative stated that it is a double-wall closed tank.

Bailey asked if the truck would park in the parking lot and the hose would run to the other side of the building. The Qwest representative responded that was correct, noting that is how they fill the fuel tank for the existing generator.

Ricart commented that the materials used in the generator enclosure should match the main building, in this case a masonry product. This is the standard applied to dumpster enclosures and should also apply here. The Qwest representative stated that they are hesitant to use masonry walls around generators because they are so big and obtrusive. He stated that they could use fiber glass panels that would mimic brick.

Nitsch asked if the generator would be delivered fully assembled or would it be assembled on site. The Qwest representative responded it is a Caterpillar generator that it is assembled in Plymouth by Electromagnetic Industries and will be delivered in three pieces.

Brittain asked what 50 decibels sounds like. The Qwest representative responded that it is basically a conversational volume.

Brittain asked what the metal panels surrounding the generator would be made of. The Qwest representative replied that it is a four-inch thick panel with steel exterior surrounding an insulation material.

Severson asked what the sound profile of the generator would be at start-up. The Qwest representative responded that it should not exceed 50 decibels.

Ricart inquired about emissions from the generator. The Qwest representative replied that it complies with all U. S. Environmental Protection Agency standards for diesel engines.

Bailey asked if the dumpster shown on the plans is currently present on the site. The Qwest representative responded that it is.

Hale asked if a site on the west side of the building near the parking lot had been considered. The Qwest representative responded that it had, but it was ruled out due to critical telephone lines that run across that area. Bailey commented that by locating the generator on the east side, the building would provide screening from residential areas.

***Bailey opened the public hearing at 8:05 p.m. No one spoke. Bailey closed the public hearing.***

***Motion by Brittain, seconded by Reese to recommend approval of the conditional use permit subject to the conditions listed below.***

- 1. All applicable permits (i.e., building, electrical, grading, etc.) must be applied for and issued by the City prior to any work or construction taking place. Detailed construction plans must be reviewed and approved by the Building Official and Fire Marshall.***
- 2. Installation of landscaping must occur in a timely fashion and be consistent with an approved landscaping plan. A letter of credit in the amount of 150 percent of the landscape estimate must be submitted to the City as required by City ordinance (Title 11-6-6(f)). The financial guarantee must be in effect for one year from the date of installation to ensure the installation, survival, and replacement of the landscaping improvements.***
- 3. The emergency generator structure's exterior color must be complementary to the exterior wall materials for the principal structure.***

***Motion by Hale, seconded by Severson, to amend the motion to require that the materials used in the enclosure match that of the main building. The amendment carried unanimously.***

***The vote on the main motion, as amended, also carried unanimously.***

## **Approval of the Planning Commission minutes of March 22, 2004**

***Motion by Hudnut, seconded by Brittain, to approve the minutes. Motion passed unanimously.***

### **9.1 Recap of April City Council Meetings**

Blin reviewed the items discussed by the City Council during their meetings on April 7 and April 21, 2004.

## **Reports**

### **9.2 Committee Reports**

Blin provided an update on the East Ravine Study, including discussions with Washington County about jointly developing a City/County government complex on the northwest section of the Cottage Grove Ravine Park.

### **9.3 Planning Commission Requests**

Commissioners asked when the existing Clear Channel signs would be removed. Blin responded that the purchase agreement between the City and Clear Channel is about to be finalized and the existing signs should come down over the next few months. The new signs would be erected over the next year.

Bailey stated he had received questions about whether the new sign at the Cedarhurst Mansion was in conformance with our sign code. Blin replied that staff would check on it.

### **9.4 Response to Planning Commission Inquires**

Bailey noted that staff had distributed a written response to an earlier question about the sign at the River Oaks development.

### **9.5 Adoption of 2004 Planning Commission Rules**

***Motion by Severson, seconded Hudnut to approve the 2004 Rules. Motion carried unanimously.***

## **Adjournment**

***Motion by Ricart, seconded by Nitsch to adjourn. Motion carried unanimously. The meeting adjourned at 10:30p.m.***