

**CALL TO ORDER**

Chair Werman called the special meeting of the City of Rockford Planning and Zoning Commission to order on at 6:04 p.m. The meeting was held in the Council Chambers of City Hall, 6031 Main Street, Rockford, MN.

**ROLL CALL**

Roll call was taken and the following members were present: Werman, Cihlar, Morter and Sand. The following members were absent: Petersen-Biorn. Also in attendance was Planner Dan Licht, Engineer Steve Hegland and Deputy Clerk Etzel.

**PUBLIC HEARING – Planned Unit Development (PUD) Stage Plan for Kwik Trip – 8090 County Road 50**

Planner Licht explained that Kwik Trip, Inc. has submitted plans for development of the vacant property at the northwest corner of TH 55 and CSAH 50 with a convenience store, motor vehicle fuel sales, and car wash. The property is zoned PUD, Planned Unit Development District based on the uses allowed in the C-3, Highway Commercial Districts. The proposed development requires consideration of a PUD Development Stage Plan subject to review by the Planning Commission and approval of the City Council. A public hearing to consider the application has been noticed for the Planning Commission meeting on 8 November 2018 at 6:00PM.

The Comprehensive Plan guides the subject site for commercial uses. Commercial uses along the TH 55 corridor are to provide for retail goods and services for the local market as well as regional pass-through traffic. The proposed convenience store with motor fuel and car wash facilities at this location is ideally suited to serve “going-home” traffic for both Rockford residents and those traveling beyond Rockford from the Twin Cities. The proposed use is consistent with the policies of the Comprehensive Plan.

The subject site is zoned PUD District with uses allowed based on the requirements of the C-3 District. The PUD District was established in relation to a prior redevelopment proposal for the site that would have involved multiple principal buildings and potentially mixed commercial and residential uses. Under the C-3 District uses, convenience stores with motor fuel and car washes are allowed as a permitted use. The subject site is within the Shoreland Overlay District of the Crow River, which establishes performance standards related to lot development for protection of the watercourse, which will be outlined in subsequent paragraphs.

The table below outlines existing and planned uses surrounding the subject site.

Direction	Land Use Plan	Zoning Map	Existing Use
North	LD Residential		Stork House Single family
East	Commercial	C-3 District	Single family
South	Commercial Industrial	C-3 District I-1 District	Undeveloped Manufacturing
West	--	--	Crow River

The subject site has excellent visibility and access to the TH 55 and CSAH 50 intersection for a commercial land use. Compatibility of the proposed use with existing single family dwellings to

the north and the east of the subject site must be addressed through landscaping, compliance with exterior lighting requirements, and noise mitigation efforts.

The developer is proposing 24 hour operation for the convenience store, motor fuel, and car wash uses. Allowance of 24 hour operation for the convenience store and motor fuel facility is typical for such uses and benefits customers. Operation of the car wash during night time hours has potential to cause compatibility issues with surrounding residential properties. We recommend that the hours of operation for the car wash be limited to 7:00AM to 10:00PM.

The proposed convenience store is to be 7,240 square feet with an attached car wash measuring 1,916 square feet. The building is a one-story structure with a height of 24 feet that is within the 35 feet allowed for principal buildings within the C-3 District. The exterior of the principal building is constructed of red brick with a tan brick accent course. Tan stucco is used in gables along the roof at the building entrance and on the elevations facing TH 55 and CSAH 50. There are also windows on the front, TH 55, and CSAH 50 elevations of the principal building. The proposed roof is a green standing seam metal. The building uses attractive, high quality materials and details that comply with the requirements of Section 1001.09, Subd. 12.B.2 of the Zoning Ordinance.

There is a canopy to be provided over the fuel pumps. The color of the canopy fascia appears similar to that used on the principal building fascia. The developer must identify the type of material and color for the proposed canopy. To connect the materials of the proposed canopy with that used on the principal building as required by Section 1001.07, Subd. 2 of the Zoning Ordinance, we recommend the City require use of brick for the canopy supports. The canopy includes LED red banding on all four sides and signs on the southwest and southeast facing elevations. Due to the proximity of the canopy to existing residential uses to the northeast and east of the subject site, we recommend that the red banding not be illuminated so as to avoid compatibility issues. The submitted plan does not indicate if the red banding is to be illuminated, which should be clarified.

Lots within the C-3 District are required to have a minimum area of 1 acre, minimum width of 150 feet, and minimum depth of 150 feet. The subject site is 4.7 acres in area. The width of the subject site is 252 feet and the depth is 358 feet. The lot complies with the minimum requirements of the C-3 District.

The table below outlines the setback requirements of the C-3 District:

	Building				Parking	
	TH 55	CSAH 50	NE	Crow River	ROW	Interior
Required	35ft.	35ft.	40ft.	50ft.	15ft.	5ft.
Proposed	44ft.	84ft. (canopy)	100ft. (canopy)	175ft.	2ft.	45ft.

The proposed buildings comply with applicable setback requirements. The setback of the drive aisle parallel to TH 55 is setback only 2 feet from the right-of-way line. The developer needs to demonstrate the need for the reduced setback, which may be allowed under the PUD

Development Stage Plan subject to review by the Public Works Director and City Engineer that the location will not interfere with location of utilities along the lot line abutting TH 55.

There are two existing accesses to the subject site, 1 on TH 55 and the other on CSAH 50. The site plan proposes to have 1 access onto CSAH 50 at the northeast corner of the subject site. The proposed access is to be 50 feet wide. The proposed width exceeds the 24 feet allowed by Section 1001.05, Subd. 4.7 of the Zoning Ordinance. The proposed width can be approved by the City Engineer upon demonstration that the proposed driveway is needed to provide adequate access for vehicles (such as fuel delivery trucks) to the property. The site plan must be revised to indicate truck turning radii into, within, and from the site. The proposed access is to be subject to review and approval of the City Engineer and Hennepin County. The site plan does not indicate removal of the existing driveway apron along TH 55. The existing driveway apron should be removed and the curb and sidewalk restored. Removal of the existing driveway apron is subject to review by the City Engineer and approval of MN/DoT.

Section 1001.05, Subd. 9 of the Zoning Ordinance requires 1 off street parking stall per 200 square feet of net building area and 4 off-street parking stalls for the motor fuel facility. The calculation of required parking stalls is shown:  $(7,240\text{sf.} - 10\%)/200 + 4 = 37$  parking stalls

The site plan provides for 31 off-street parking stalls (including two disability parking stalls) plus 20 spaces at the fuel islands for 51 total stalls. The number of parking stalls exceeds the requirements of the Zoning Ordinance.

The proposed parking stalls are designed to be 9.5 feet in width, 20 feet in depth and accessed by a 30 foot wide two-way drive aisle. The parking area has an asphalt surface with perimeter concrete curb. The off-street parking stalls and drive aisles comply with the design requirement of Section 1001.05, Subd. 4.H of the Zoning Ordinance.

The site plan illustrates an existing sidewalk along the TH 55 lot line of the subject site. There is to be an asphalt trail along CSAH 50 from TH 55 to the northeast property line. City staff recommends that the developer provide for construction of the trail from the northeast property line to the existing terminus of a trail on CSAH 50 at Bridge Street to allow improved, safe pedestrian access to the site. The developer must also provide for an easement overlaying the trail and extending 1 foot beyond the west edge of the pavement surface. There is a sidewalk connection on the southwest side of the driveway access to the trail on CSAH 50. The site plan must be revised to provide for a pedestrian access from the sidewalk on TH 55 to the principal building.

The developer has provided a landscape plan as required by Section 1001.09, Subd. 3.B of the Zoning Ordinance. The landscape plan provides for deciduous trees along the TH 55 and CSAH 50 frontages of the subject site, along with perennials and shrubs along the east edge of the parking and outdoor seating area adjacent to CSAH 50 and the southwest elevation of the principal building. There are ornamental and shade trees to the northwest of the parking area on the Crow River side of the subject site. Existing trees and vegetation closer to the Crow River will not be disturbed. The quantities, types, and sizes of proposed plantings comply with the requirements of Section 1001.09, Subd. 3.B.2 of the Zoning Ordinance.

As the subject site abuts property zoned for residential uses to the northeast, a landscape buffer yard is required to be installed by Section 1001.09, Subd. 2.F of the Zoning Ordinance. The landscape buffer yard is required to be a minimum of 30 feet in width and must include evergreen plantings. The site plan provides for a 45 foot wide greenspace along the northeast property line. Section 1001.09, Subd. 2.F. requires planting 8 evergreen trees per 100 feet of lot line within the bufferyard. The proposed landscape plan limits tree removal and proposes installing a total of 11 evergreen trees along 270 feet of lot common lot line. We recommend the landscape plan be revised to provide for a consistent 15 foot spacing in a staggered line to provide for a more complete visual screen.

Signs allowances for uses within the C-3 District are established by Section 1001.08, Subd. 10.D of the Zoning Ordinance.

- Freestanding Signs. One freestanding sign not to exceed 120 square feet in area or 24 feet in height is allowed per lot. The submitted plans indicate that two freestanding signs are proposed with an area of 100 square feet and height of 12 feet. The number of proposed freestanding signs exceeds that which is allowed by the Zoning Ordinance. We recommend the sign located at the northeast property line be removed from the site plan due to proximity to existing residential uses.
- Wall Signs. One wall sign is allowed on two elevations of the principal building facing public streets. These signs may be up to 100 square feet in area. The sign plans indicate business identification signs on the front and southeast side (facing CSAH 50) elevations. There are also three business identification signs on the northeast, southeast, and southwest elevations of the canopy as well as the illuminated red banding that would be considered to be signage. The number of proposed wall signs exceed that which is allowed by the Zoning Ordinance. We recommend that the signs and red banding be eliminated from the canopy. However, we would support the addition of another business identification wall sign on the southwest elevation of the principal building (facing TH 55) given the unique orientation building within the lot facing northeast with the side and rear elevations of the building facing public streets.
- Directional Signs. The sign plan also includes various directional signs for the car wash, driveway circulation and mechanical/electrical rooms. These signs improve the functionality of the site plan and should be considered to be incidental to operation of the use. The one exception to allowance of these signs would be the car wash informational sign above the entry door, which is more advertising than directional and must be removed.

To minimize potential compatibility issues with surrounding residential uses cause by noise, we recommend that conditions be included with approval of the PUD Development Stage Plan to:

- Require that the exterior doors of the car wash be closed during the wash cycle (not including operation of the dryer).
- Limit the volume of exterior audio systems for communication between store clerk and customers at the pumps or from pump island monitors so as not to be audible at property lines. There is to be no playing of music or advertisements over the exterior audio system.

The submitted plans include a photometric site plan illustrating the location, type and illumination pattern of proposed exterior lighting. Exterior lighting at the property lines measures 0.0 foot-candles meaning there is no illumination occurring, although the light source is visible. Lighting under the canopy or the building fascia is to be flush mounted to the surface. The freestanding lighting is to be mounted on 16 foot poles. All lighting is indicated to be downcast, which is to be specified as having a 90 degree horizontal cut-off. The photometric site plan also indicates that all exterior lighting is to be LED for greater energy efficiency.

There is an enclosure on the northwest corner of the principal building that screens a storage area for waste and recycling. The outside wall of the enclosure uses brick material consistent with the principal building and there is a solid gate for access from the loading area parallel to that side of the building. The enclosure meets the requirements for screening exterior waste storage areas established by Section 1001.09, Subd. 19.B.2 of the Zoning Ordinance.

The developer has submitted plans for grading, drainage, and erosion control for the proposed site plan. Section 1001.23, Subd. 7.A.6 of the Zoning Ordinance establishes a maximum impervious surface limit of 30 percent for lots within the Shoreland Overlay District. The Shoreland Overlay District applies to property within 300 feet of the Ordinary High Water Level of the Crow River. The site plan indicates the proposed impervious surface within the entire lot to be 33 percent. The site plan must be revised to identify the portion of the lot within the Shoreland Overlay District and identify the impervious surface area within the Shoreland Overlay District. All stormwater management issues are to be subject to review and approval of the Public Works Director and City Engineer.

City sewer and water utilities are available to the subject site. The developer has submitted a utility plan for connection to City sewer and water utilities. All utility issues are subject to review and approval of the Public Works Director and City Engineer.

Planner Licht recommends approval of a PUD Development Stage Plan for Kwik Trip, Inc, subject to the following conditions:

1. Operation of the car wash shall:
  - a. be limited to 7:00AM to 10:00PM each day.
  - b. require that the exterior doors be closed during the entire wash cycle (not including when the dryer is in operation).
2. The canopy supports shall be revised to provide a 9' brick fascia consistent with the principal building.
3. The setback of the off-street parking and drive aisles shall be a minimum of 15 feet from the right-of-way unless approved by the Public Works Director, City Engineer and reviewed with staff.
4. The site plan shall be revised to indicate truck turning radii into, within, and from the site; access to CSAH 50 shall be subject to review and approval of the City Engineer and Hennepin County.
5. The site plan shall be revised to remove the existing driveway apron along TH 55 and restore the curb and sidewalk, subject to review by the City Engineer and approval of MN/DoT.

6. The developer shall construct an asphalt trail from TH 55 to Bridge Street overlaid by a trail easement trail and extending 1 foot beyond the west edge of the pavement surface, subject to review and approval of the City Engineer and Hennepin County.
7. The site plan shall be revised to provide for a five foot wide concrete sidewalk between the sidewalk adjacent to TH 55 and the principal building, subject to review and approval of City staff.
8. The landscape plan shall be revised to provide for planting evergreen trees 15 feet on center in a staggered line along 270 feet of the northeast property line from CSAH 50, subject to review and approval of the City Planner.
9. The sign plan shall be revised to:
  - a. Remove 1 freestanding sign.
  - b. Remove all signs and LED banding from the canopy structure.
  - c. Provide 1 wall sign up to 100 square feet on the building elevation facing TH 55.
10. The site plan shall be revised to identify the portion of the lot within the Shoreland Overlay District and identify the impervious surface area within the Shoreland Overland District; the maximum impervious surface area within the portion of the lot subject to the Shoreland Overlay District shall be 30 percent.
11. All grading, drainage, and erosion control issues are subject to review and approval of the Public Works Director and City Engineer.
12. All utility issues are subject to review and approval of the Public Works Director and City Engineer.

Chair Werman opened the public hearing at 6:18 p.m.

*Ronald Dehn* of 6010 Terrace Circle went to Buffalo to check out the Kwik Trip and was impressed with the fresh fruit and vegetable selection. Thought the store was very clean. His concern is the speed limit on County Road 50.

*Joe Francis* of 7953 State Highway 55 was worried about the access to State Highway 55 and understands after hearing the proposal that the access will be closed.

*Dean George* with Kwik Trip explained this store is their standard lay out with fresh groceries, produce and bakery goods. The deliveries will ship once a day out of LaCrosse, WI. They approached MnDOT to keep the State Highway 55 access open. Kwik Trip is excited to come to the City of Rockford.

Mr. George had a comment regarding the canopy wrap, ususally they only go up about 9 feet with brick, not all the way.

*James Franklin* of 6020 Terrace Circle had questions regarding the site. He was wondering about drainage issues. Engineer Hegland stated they are reviewing and continue to review through the construction phase. Also asked if there are any issues having a fueling station located next to the river? Engineer Hegland noted the proposed development meets all the set backs and the stormwater will be managed. Mr. Franklin further asked about delivery trucks. Mr. George noted the delivery have not been mapped at this time. Planner Licht added the deliveries have no limitations.

Chair Werman closed the public hearing at 6:28 p.m.

The Planning Commission discussed and agreed with the Planner's twelve conditions with a few minor revisions.

**MOTION** was made by Sand, seconded by Cihlar to recommend approval of the proposed Planned Unit Development (PUD) Stage Plan for Kwik Trip to be located at 8090 County Road 50 with the twelve conditions as listed and discussed.

**MOTION CARRIED** – VOTING IN FAVOR – WERMAN, CIHLAR, MORTER and SAND.

The recommendation from the Planning Commission will be submitted to the City Council at their upcoming November 11, 2018 regular meeting for final approval or denial.

Mr. George noted they plan to close on the property at the end of November with a 2020 build schedule.

#### **SET AGENDA AND APPROVE CONSENT AGENDA ITEMS**

**MOTION** was made by Werman, seconded by Sand to set the agenda and accept the July 26, 2018 Regular Planning and Zoning Commission Minutes.

**MOTION CARRIED** – VOTING IN FAVOR – WERMAN, CIHLAR, MORTER and SAND.

#### **OPEN FORUM**

Chair Werman called for open forum, no one from the public spoke.

#### **NEW BUSINESS**

##### **Staff Reports**

Deputy Clerk Etzel's report included: December 13<sup>th</sup> meeting will be held if an application is received by November 21<sup>st</sup>, Developments: The Meadows grading plan approved and 14 new homes as of October 31<sup>st</sup>, the Council approved the Ordinance Amendment for accessory buildings, outdoor storage, off-street parking and storage at their August 15<sup>th</sup> meeting, City Hall will be closed November 12<sup>th</sup> for Veteran's Day and November 22<sup>nd</sup> and 23<sup>rd</sup> for Thanksgiving, General Election was Tuesday, November 6<sup>th</sup>, upcoming Toy Drive and Crow River Christmas is December 1<sup>st</sup>.

#### **ADJOURNMENT**

**MOTION TO ADJOURN** was made by Werman, seconded by Cihlar.

**MOTION CARRIED** – VOTING IN FAVOR – WERMAN, CIHLAR, MORTER and SAND.

Chair Werman adjourned the meeting at 6:42 p.m.

*Submitted by Audra Etzel, Deputy Clerk*