

Hastings Planning Commission

February 14, 2022 - Regular Meeting Minutes
Hastings City Hall - Council Chambers
7:00 p.m.

The Planning Commission of the City of Hastings, Minnesota met in a regular meeting on Monday, February 14, 2022 at 7:00 P.M. in the Hastings City Council Chamber.

1. Call Meeting to Order

Planning Commissioners Present: Messina, Romens, Halberg, Matzke, Peters, Teiken, and LeBrun

Planning Commissioners Absent: None

Staff Present: Community Development Director Hinzman and City Planner Fortney

2. Approval of Minutes – January 24, 2022 Regular Meeting

Chair Messina asked if there were any additions or corrections to the minutes. Minutes approved as presented.

PUBLIC HEARINGS

3. Nathan Stencil – Rezoning, Special Use Permit, Preliminary Plat, Final Plat, and Site Plan #2021-50 – Apartments

Hinzman presented a summary pertaining to the Rezoning, Special Use Permit, Preliminary Plat, Final Plat, and Site Plan #2021-50 – Apartments.

Chair Messina opened the public hearing at 7:13 PM

Clarence Chapman of 614 3rd Street E was present via Zoom. He was told the height of the building was to be 48 feet tall. In the current proposal, the building is set to be 55' tall. He was looking for an explanation as to why this had changed.

Chair Messina invited applicant Nathan Stencil to the podium. Stencil spoke about the issues they were working through on-site design in regards to the significant amount of bedrock on the site as well as the water retention issues they need to finalize. Their plan is to try to keep the structure as low as possible within reason, but for the sake of this purpose they chose to present this in a 'worst case scenario' situation.

Chair Messina closed the public hearing at 7:17 PM and invited Commissioners to ask questions or offer comments.

Commissioner LeBrun presented a question regarding the trail that goes along the East side of the building. LeBrun commented on the awareness of a potential Vermillion River Greenway Project on the bike trail. LeBrun asked if the developer

had considered adding additional bike parking and/or storage due to this trail being in close proximity of the Hastings Trail System.

Stencil commented that there would be a significant amount of bike parking and storage inside the building as well as some outside. Stencil commented on ensuring they would be a good neighbor to the trail.

LeBrun also questioned if the developer planned to include any electric vehicle parking spots. Stencil stated there would be electric car parking available for residents.

Commissioner Teiken questioned where the storm water system would be placed. Stencil stated it would be placed below the building and would be of top quality to best serve the area.

Teiken questioned if all residents in the area had been notified. Teiken expressed his concern for the 3-4 houses in close proximity with having such a large structure in their backyard.

Director Hinzman affirmed that the residents in close proximity were notified. Hinzman stated there have been three public hearing notices sent out. Stencil commented that one of the homes has been acquired, previous owner being Tim Rowan.

Stencil mentioned they have attempted to reach out to all owners in that block in attempt to purchase their properties. Mr. Tim McNealy has been in contact with the developer as well, he and his family recently moved into their home in August of 2021 and were not aware of the future plans for that area. Stencil did not receive any response from two homeowners after multiple attempts to make contact, one homeowner did respond and said they are not interested in selling. Stencil is committed to working with Mr. McNealy and his family to find a new home throughout this process.

Commissioner Peters asked a question regarding the rezoning of the area. Director Hinzman commented on the current zoning of the area. Hinzman referred to the Comprehensive Plan. If there were to be proposed changes in the future they would be dealt with at that time.

Commissioner Romens questioned Stencil on their plan with the home(s) acquired. Romens complimented on the aesthetic of the building. Stencil responded stating the first home purchased was essential to acquire for this project given the density needed. Stencil commented the second home to be acquired is in the middle of the block, they are still exploring what the final results of that will be for that home.

Motion to Approve: Halberg Seconded By: Romens Approved 7-0 as presented

4. **Enclave Companies** - Rezoning, Preliminary Plat, Final Plat, and Site Plan #2022-12 – County Crossroads 4th Addition – Apartments – 3xx 33rd St W

City Planner Justin Fortney presented the rezoning, preliminary plat, final plat, and site plan #2022-12 County Crossroads 4th Addition – Apartments -3xx 33rd Street West

Chair Messina opened the public hearing at 7:42 PM

Shay Holm 378 Cari Park Lane questioned if the ponding basin behind Cari Park Lane will remain as is or be redone. She expressed concerned about wildlife in the area and the buffer it creates between her home and the land. The developer's engineer, Joe Bailey of Sambatek assured the wet pond will remain the same.

Pete Terry of Terry's Hardware located at 375 33rd Street W expressed his concern of the ability of accessing the two properties and concerns around traffic around their building, load and unloading freight trucks, etc.

Chair Messina offered some clarifying comments to understand Mr. Terry's concerns.

Applicant Brian Bachman with Enclave Companies stated he will work with Mr. Terry to provide additional space for freight trucks on the south end of the property to ensure safe deliveries.

Tim McNealy 319 Tyler Street commented on the notification process. Mr. McNealy commented on how he felt he was not properly and adequately notified regarding future projects and developments.

Chair Messina commented on the process of which the City acts upon applications. Director Hinzman provided a summary of notification procedures.

Chair Messina closed the public hearing at 7:54 PM

Commissioner Romens commented on the amount of conditions that are a part of this application and why there haven't been attempts to resolve some of these conditions prior to presenting this to the Planning Commission. Romens asked at what level a traffic study is needed.

Fortney added that many are standard conditions with additional information included as apart of additional conditions.

Hinzman commented on the previous plan for a grocery store for this space and how that design would factor in traffic concerns and awareness.

Commissioner Matzke questioned the difference between a preliminary plat and final plat.

Fortney explained the process and what improvements fall into which part of this development. Fortney mentioned the comments provided by MNDOT regarding traffic and drainage but would have more comments at a later date.

Chair Messina asked if MNDOT has reviewed the development. Messina expressed his concern about left hand turns from 33rd onto Hwy. 61.

Commissioner Teiken questioned whether the new storm water pond was an infiltration or wet pond.

Mr. Bailey commented on the use of the area and developer's plan.

Commissioner Teiken also commented on the sidewalk that provides access to the neighborhood to the south.

Mr. Bailey stated they are still working on a plan for how to best include the current sidewalk in their plan.

Fortney commented on how the city would like for the sidewalk plan to stay as is if not close to, and to improve the sidewalk specifics.

Mr. Bachman commented on their company process, and expressed how having good long term neighbors is very important to them

Commissioner LeBrun commented on the access to 33rd street from the sidewalk from Cari Park area. LeBrun also commented on how the proposed parking conforms to the Vermillion Corridor plan because parking is located between the building and the street.

Mr. Bachman commented on their process regarding parking locations in an effort to not 'hide' other businesses close by.

Chair Messina closed the public hearing at 8:13 PM

Mr. Bachman commented that there will be bicycle parking, and other outdoor greenspace usage. He also commented on their future plans for electric car spaces.

Commissioner Romens asked that an additional condition concerning Terry's Hardware traffic and freight concerns be added to the recommendation for approval.

Commissioner Romens made the motion to approve all actions as presented with an additional condition to Site Plan approval that the applicant work Terry's Hardware to ensure there is sufficient area for commercial traffic to unload off the public right of way. Commissioner Matzke seconds. Approved 7-0 as amended.

5. **Rise Up Recovery** – Special Use Permit #2022-14 – Operation of a State Licensed Residential Facility – 305 5th Street E.

Hinzman provided a summary of the request including comments received prior to the meeting.

Chair Messina opened the public hearing at 8:26 PM

Diane Steel, 422 5th Street East. stated she never received any notification regarding this project. She asked if building onto the current facility in Hastings.

Emily Mellinger, 309 5th St. East stated she is a registered nurse with a vast background and has worked with treatment facilities in Hastings as well as other areas. Mellinger asked if this facility will be emergency or long-term, admission requirements for patients, will there be background checks or self-recording, hours of operations (quiet times, outdoor lighting), vehicles during the day including visitor parking, amount of staff, treatment staff, type of shift they'll work. Mellinger expressed her concern about how new this company is to be starting a facility.

Applicant Tiffany Neuharth 3605 Red Wing Blvd commented on her licensing and years of service. Neuharth explained how Rise Up Recovery is different than current facilities in the area and how they are looking to fill the gaps in the community. This home would serve both emergency and long-term recovery needs. Staffing will be certified as needed as well as taking additional educational courses. All staff has to pass background checks, patients also get criminal record checks. Neuharth explained more about what the services are intended to offer. Neuharth talked specifically about designated smoking areas, quiet times, and commented on the privacy the home already offers. Neuharth spoke to personal experiences within different programs and reassured that their program would have high standards for themselves and their staff. Neuharth proposed to have two live – in employees which would be different than the day to day employees.

Ms. Mellinger asked clarifying questions on the timeframe of what short-term stay means, and asked how they are going to manage the patient symptoms if needed, would they have an RN on staff and how they'd maintain that and expressed her concern.

Ms. Neuharth clarified the difference between short-term stay and long-term stay. Neuharth explained there is a screening process and intake process that takes place. There is also an assessment piece as well that will be administered by other partnerships Neuharth has.

Chair Messina asked Neuharth to define medically stabilized.

Ms. Neuharth defined it as someone who is not at risk for intoxication and/or withdrawal without having to be medically managed and provided examples of what an emergency case might look like.

Ms. Melligen asked if there will be a medical professional on site given that there may be a need for this.

Ms. Neuharth clarified that there would not be a medical professional on site, and stated patients will not be admitted into their facility if they need further medical support.

Chair Messina questioned the business model and stated more clarifications are needed. Messina also asked what their process would be for removing an individual if necessary.

Commissioner Matzke commented on personal experience with similar facilities; how will issues be managed.

Ms. Neuharth commented on how recovery specialists would help assist getting patients to appointments, etc. She also commented on the curfew and how patients would not be able to leave without a recovery specialist, an approved family member, or buddy.

Commissioner Halberg asked if their staffing model follows the guideline requirements of the DHS licensing and if there are requirements for medical treatment staff on site. Halberg commented on the confusion within the term 'emergency' and the meaning behind it.

Commissioner Romens commented on the long-term patients, how is this funded, etc. Romens also questioned if they have agreements with other facilities for further assistance if their facility is no longer a good fit, and that there are assurances for the community, the patient, etc. Romens also expressed the need to ensure there are other plans with contingencies if ever needed.

Ms. Neuharth commented on the two options for funding. They plan to pursue Dakota County funding for housing support and self-pay option for certain individuals given certain guidelines. She described that their goal is to help individuals progress to independency.

Chad Neuharth of Rise Up Recovery commented on the housing support structure and business model with the agreements and rights of patients and the policies they hold. Ms. Neuharth commented on their morals and values to ensure the safety of the patients, the community, etc.

Ms. Melligen commented on the concerns for their policies and how there is a need and how a residential home/area is not the best fit. She also asked if they planned to work with the MN Department of Corrections and parolees. The Neuharths commented on how they will work with the Dakota County Jail but they do not plan on working with the MN Department of Corrections. Mr. Neuharth commented on the lack of provisions in this area where these services are needed. Ms. Neuharth commented on their intentions and level of support they strive to offer.

Ms. Melligen stated upon review of the information presented she opposes the request.

Chair Messina closed the public hearing at 9:18 PM

Commissioner Teiken voiced his appreciation to the Neuharths, and discussed the proposed recommendations by City Staff regarding the treatment requirements for patients. Teiken also had question on the qualifications of those staffing the facility, how many vehicles would be on site, and how many people would be in the house at a time.

Ms. Neuharth commented that there would be no more than 10 individuals living on site at a time.

Commissioner Peters commented on the lack of programs available in our community, and asked what the differences are between sober houses and other establishments.

Ms. Neuharth described the differences and the additional support their establishment would offer.

Director Hinzman commented on the City of Hastings current special use permits regarding housing similar to this.

Commissioner Teiken stated he believes information is lacking. He would like to make some adjustments within the written conditions by the city staff. Teiken asked if we could offer yearly licenses for these types of requests instead of a permanent Special Use Permit. Teiken expressed the need for these facilities but is concerned about the fit into the neighborhood.

Director Hinzman commented on the options the Commission has given the information at hand. Hinzman also explained the distinguishing measures between a yearly license and special use permit.

Commissioner Halberg commented on his appreciation of Rise Up's goals. He agreed additional information would be helpful to make a recommendation. The more information and definitions that could be clarified would help the commission to discuss specifics further.

Director Messina spoke further to additional concerns, location, surrounding neighborhoods, traffic, rental properties.

Commissioners Teiken, Romens, Peters, and Messina commented on the need for more information for their next meeting.

Commissioner Matzke made the motion to table the Special Use Permit request until the February 28, 2022 Planning Commission Meeting. Commissioner Teiken seconded the motion. Motion approved 7-0.

6. **Matthew Goebel** – Special Use Permit #2022-15 – Operation of Retail/Service Uses (Auto Repair) within the I-1 Zoning District – 2559 Millard Avenue

Planner Fortney provided a summary of the request.

Chair Messina opened the public hearing at 9:47 PM

Chair Messina closed the public hearing at 9:48 PM

Chair Messina clarified one of the conditions in the staff report regarding outdoor storage.

Commissioner Halberg made the motion to approve the request. Commission LeBrun seconded the motion. Approved 7-0 as presented

7. **City of Hastings** – Ordinance Amendment #2022-11 – Parking for Apartments

Director Hinzman provided a summary of the request.

Chair Messina opened the Public Hearing at 9:50 PM

Chair Messina closed the Public Hearing at 9:51 PM

Commissioner LeBrun made the motion to table the request to the February 28, 2022 meeting. Commissioner Matzke seconded the motion. Motion approved 7-0.

OTHER ACTIONS

8. **Other Business** - Director Hinzman provided a brief summary of future Planning Commission items.

9. **Adjourn**

Commissioner LeBrun motioned to adjourn the meeting at 9:52 PM. Seconded by Commissioner Matzke. Vote: Ayes 7; Nays: 0. Motion approved as presented.

Next Meeting – February 28, 2022

Respectively submitted:

Emily King
Deputy City Clerk