

CITY OF CLEARWATER PLANNING & ZONING MEETING

AGENDA MAY 26TH, 2020

- 7:00 **Call to Order: 7:00 p.m. via Zoom Web Conference**
 Approve Agenda
 Approve 5-5-2020 Minutes
- 7:05 **PRESENTATION BY CITY PLANNER, KEVIN SHAY**
- 7:15 **COMMENTS BY APPLICANT**
- 7:20 **COMMITTEE DISCUSSION ON SITE PLAN FOR 615 SMITH ST, PARCEL 104-036-002010 SUBMITTED BY MILLER ARCHITECTS & BUILDERS, ON BEHALF OF PROPERTY OWNER, LFK ENTERPRISES, LLC TO CONSTRUCT A NEW HAIR & NAIL SALON.**
- 7:30 **RESOLUTION PZ20-06 RECOMMENDING APPROVAL OF A SITE PLAN FOR A HAIR SALON AT THE PROPERTY TO THE SOUTH OF SMITH STREET AND ASH STREET, 615 SMITH STREET (PID# 104036002010) WITH STAFF CONDITIONS**
- Other**
- Adjourn**

***Their may be a quorum of other City Boards or committees present.**
***All times are tentative.**

**City of Clearwater
Planning & Zoning Commission
MAY 5TH, 2020 Minutes**

Chair Watson, called the meeting to order via Zoom Conference at 7:00 pm.

Members present: Bob Watson, Kris Crandall, Wayne Kruchten

Members absent: 1 vacancy on board and Robert Yurch

Visitors as signed in: none

Others present: Deb Petty- Zoning Administrator, Annita Smythe-City Administrator

MOTION TO APPROVE THE AGENDA, CRANDALL, SECOND BY KRUCHTEN ALL MEMBERS PRESENT IN FAVOR, MOTION CARRIED

MOTION TO APPROVE THE JANUARY 7TH, 2020 MINUTES, WATSON, SECOND BY KRUCHTEN ALL MEMBERS PRESENT IN FAVOR, MOTION CARRIED

Committee discussion on site plan for 630 County Rd 75 submitted by Dean Trongard, on behalf of property owner, Lotus Holdings, LLC. The property was sold and the principal use of the building changed from retail to office space. Due to the change of use of the building the site needed to be reviewed, in particular the amount of parking spaces.

Member Kruchten had questions on where the Food Truck gets their water and how do they get rid of their gray water. That is addressed by the MDH when they get their license to operate a Mobile Food Unit.

Chair Watson had concerns that the MFU does not have bathroom facilities for the employee's. This is not a requirement in the City Code on Mobile Food Units, Ord. 2017-05.

MOTION TO APPROVE RESOLUTION PZ 20-05 RECOMMENDING APPROVAL OF SITE PLAN FOR 630 CTY RD 75 WITH CONDITIONS RELATING TO THE FOOD TRUCK AND MAINTAINING THE SHRUBS, WATSON, SECOND BY CRANDALL, ALL MEMBERS PRESENT IN FAVOR, MOTION CARRIED

OTHER-none

Next Meeting: May 26th, 2020

MOTION TO ADJOURN THE MEETING, CRANDALL, SECOND BY KRUCHTEN, ALL MEMBERS PRESENT IN FAVOR, MOTION CARRIED.

Meeting adjourned at 7:16 pm.

Respectfully submitted,

Deb Petty, Zoning Administrator

Robert Watson, Chair

TO: Clearwater Planning and Zoning Committee

FROM: Kevin Shay, Landform

DATE: May 19, 2020 for the May 26, 2020 Planning and Zoning Committee Meeting

RE: Site Plan Review for Andra K Salon to construct a hair salon on the south corner of Smith Street and Ash Street (PID# 104036002010)

REVIEW DEADLINE: July 10, 2020

1. Application Request

Miller Architects and Builders is requesting site plan review approval to allow construction of a building containing retail space to be used for a hair salon on the south corner of Smith Street and Ash Street.

2. Background

The site is currently an undeveloped vacant lot.

3. Context

Level of City Discretion in Decision-Making

The City's discretion in approving or denying a site plan is limited to whether or not the proposed request meets the standards outlined in the City Code. If it meets these standards, the City must approve the site plan.

Zoning and Land Use

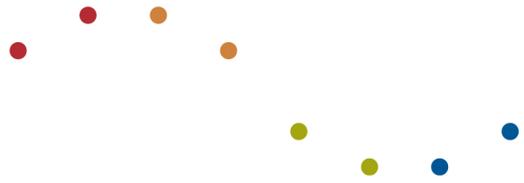
The property is designated as Medium Density Residential on the Clearwater Future Land Use Plan Map in the 2015 Clearwater Comprehensive Plan. The property is currently zoned C-4 General Commercial on the zoning map. The inconsistency between land use and the zoning has been noted and will be corrected by the City at a later date.

Surrounding Properties

The property to the east is guided medium density residential and zoned C-4 General Commercial. The property to the south is guided public/institutional and zoned C-4 General Commercial. The property to the north is guided high density residential and zoned R-6 Residential High Density. The property to the west is guided medium density residential and zoned C-4 General Commercial.

Natural Characteristics of the Site





The Comprehensive Plan shows that there are no wetlands on site and the property is not located in a floodplain or shoreland overlay. There are a few existing trees on the site.

4. Analysis of Request

The applicant is proposing to construct a 3,182 sq. ft. building to be used for a hair salon on the 40,400 sq. ft. site.

Building and Architecture

Miller Architects and Builders are proposing a building constructed of steel siding and manufactured stone veneer which complies with the required material types of Section 117-1066 of the Zoning Ordinance.

Access

Access to the proposed development is provided from both Smith Street and Ash Street. The access from Ash Street has a portion of the access located on the adjacent lot. A shared access easement is required to provide access rights for both properties. This has been included as a condition of approval.

Parking

Section 117-1168 of the Zoning Ordinance requires parking spaces for each use located in the principal structure. The beauty shop use requires two spaces for each beauty chair. The applicant is providing 16 beauty chairs which will require 32 parking spaces.

The applicant has provided 34 parking spaces, which satisfies the 32 required spaces. Staff also reviewed the dimensional standards for the parking spaces and setbacks in Section 117-1164 and finds that the plans meet or exceed the dimensional requirements of the Zoning Ordinance.

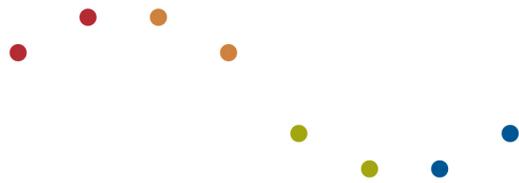
Landscaping

Section 117-1131 of the Zoning Ordinance requires that the applicant submit a tree preservation plan. The tree preservation plan shows a few trees on the site that will remain undisturbed.

Section 117-1130 of the Zoning Ordinance requires one tree per 100 lineal feet of site perimeter or one tree per 1,000 sq. ft. of gross building floor area, whichever is greater. The site perimeter requires the greater number of trees at 8. Fifty percent of the required number of trees may be substituted with the use of shrubs in combination with other landscape design elements. The applicant is providing 8 trees and various shrubs around the base of the building. The proposed landscaping is greater than the required number. Staff finds that the plans comply with the landscaping requirements.

Lighting

Section 117-1036 of the Zoning Ordinance requires that all exterior lighting shall be so directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts. The lighting shall not read more than ½ foot candle from the centerline of the street or a ½ foot candle from a property line adjacent to any property. The proposed lighting plan shows lighting that



appears to comply. The applicant will need to provide the detail sheets for the lighting to ensure that it is downcast and shielded.

Trash Enclosure

The applicant has proposed a trash enclosure on the west side of the building. The trash enclosure is consistent with the performance standards of Section 117-1106 of the Zoning Ordinance. The details show that the trash enclosure is fully enclosed and will be constructed using composite wood boards.

Signage

The applicant has indicated that a monument sign is planned along Smith Street and an entrance sign is planned along Ash Street. Any proposed signs will be handled by a separate permit and reviewed under the commercial district standards. Staff has included a condition that the applicant obtain sign permits and approval of a final sign plan from staff that is in compliance with Article XII of the Zoning Ordinance prior to the installation of any signs.

Other Reviews

The City Engineer reviewed the plans on May 19, 2020. Staff has included a condition that the applicant work with staff to address comments contained in the report in a manner that is satisfactory to the City.

The applicant will need to comply with applicable requirements from the Building Inspector.

Site Plan

The Planning Commission and City Council shall evaluate the effects of the proposed site plans. This review shall be based upon, but not be limited to the following:

1. *Compliance with and effect upon the comprehensive plan and public facilities plans.*

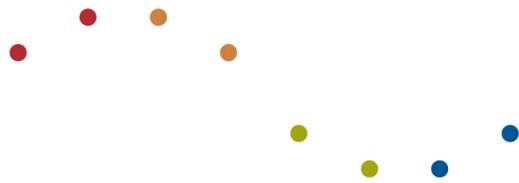
The use complies with the Comprehensive Plan and public facilities plans.

2. *The establishment, maintenance or operation of the use, event or activity will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety or welfare.*

The establishment of the use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health safety or welfare.

3. *The use event, or activity will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.*

The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.



4. *The establishment of the use, event or activity will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The establishment of the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

5. *Adequate public facilities and services are available or can be reasonably provided to accommodate the use, event or activity which is proposed.*

Adequate public facilities and services can be reasonably provided to accommodate the use.

6. *The use, event or activity shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

The use complies to the applicable regulations of the C-4 district.

7. *The use, event or activity and site conform to the performance standards as outlined in section 117-128 (conditional use permit, general performance standards) and all other applicable provisions of this chapter.*

The used conforms to the performance standards of Section 117-128 as discussed in this staff report.

8. *The request complies with all other applicable sections of this Code.*

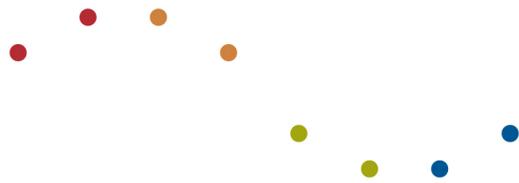
The request complies with all other applicable sections of this code as discussed in this staff report.

5. Summary

Provided that the applicant revises plans as noted in the staff conditions, the applicant meets the requirements of the city code.

6. Recommendation

Recommend approval of the resolution approving the site plan to allow construction of a hair salon building south of Smith Street and Ash Street (PID# 104036002010) subject to staff conditions.



Attachments

1. Planning Commission Resolution and Findings of Fact
2. City Engineer's Memo dated May 19, 2020
3. Wright County Property Location Map
4. Site Plan dated April 29, 2020
5. Landscape Plan dated May 6, 2020
6. Architectural Elevations dated April 29, 2020

**PLANNING AND ZONING COMMISSION
CITY OF CLEARWATER**

RESOLUTION NO. PZ20-06

**RESOLUTION RECOMMENDING APPROVAL OF A SITE PLAN FOR A HAIR SALON AT
THE PROPERTY TO THE SOUTH OF SMITH STREET AND ASH STREET 615 SMITH
STREET (PID# 104036002010)**

WHEREAS, Miller Architects and Builders (“the applicant”) has requested approval of a site plan for development of a hair salon on property legally described as follows:

Lot 1, Block 2, Smith Nelson 2nd Addition lying Northerly of the following described line: Commencing at the most Southerly corner of said Lot 1 of Block 2, Smith Nelson 2nd Addition; thence North 27 degrees 09 minutes 14 seconds West assumed bearing along the Westerly line of said Lot 1 for a distance of 175.00 feet to the point of beginning of the line to be described; thence North 62 degrees 50 minutes 40 seconds East a distance of 242.00 feet to the Easterly line of said Lot 1 and there terminating, Wright County, Minnesota.

WHEREAS, Division 15, Sec. 117-788 of the Clearwater Zoning Ordinance does provide for said use; and

WHEREAS, the Planning Commission reviewed the site plan request on May 26, 2020; and

WHEREAS, the Planning Commission has reviewed the site plan request and has made the following findings:

1. Compliance with and effect upon the comprehensive plan and public facilities plans.

Planning Commission Finding:

2. The establishment, maintenance or operation of the use, event or activity will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety or welfare.

Planning Commission Finding:

3. The use event, or activity will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Planning Commission Finding:

4. The establishment of the use, event or activity will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Planning Commission Finding:

5. Adequate public facilities and services are available or can be reasonably provided to accommodate the use, event or activity which is proposed.

Planning Commission Finding:

6. The use, event or activity shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Planning Commission Finding:

7. The use, event or activity and site conform to the performance standards as outlined in section 117-128 (conditional use permit, general performance standards) and all other applicable provisions of this chapter.

Planning Commission Finding:

8. The request complies with all other applicable sections of this Code.

Planning Commission Finding:

WHEREAS, The Planning Commission has extensively reviewed the applicable code, considered the findings as well as the comments, and input of the Applicants, the Property Owner, the neighboring residents and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE CLEARWATER PLANNING COMMISSION THAT; the Planning Commission does hereby recommend the issuance of a site plan for a hair salon at the property to the south of Smith Street and Ash Street (PID# 104036002010), subject to the following conditions:

1. The applicant shall work with City staff to address comments from the City Engineer.
2. The applicant shall work with the Clearwater Fire Department and Building Official to ensure that the project meets State Fire and Building Codes.

Prior to Grading Permit:

1. Provide lighting cut sheets to show compliance with the downcast and shielded lighting requirement.
2. A shared access easement document acceptable to the City must be recorded with Wright County.

Prior to Building Permit:

3. No signage has been approved. The applicant must submit a sign permit and final sign plan for staff approval.

DATED THIS 26th DAY OF MAY 2020

ATTEST:

Planning Chair

Deputy City Clerk/Zoning Administrator



Real People. Real Solutions.

2040 Highway 12 East
Willmar, MN 56201-5818

Ph: (320) 231-3956
Fax: (320) 231-9710
Bolton-Menk.com

MEMORANDUM

Date: May 19, 2020
To: Honorable Mayor Lawrence-Wheeler, Members of the City Council and
Members of the Planning Commission – Clearwater, Minnesota
From: Justin L. Kannas, P.E.
City Engineer
Subject: Andra K Salon & Spa – Site Plan Review
Clearwater, Minnesota
BMI Project No: Clearwater – General

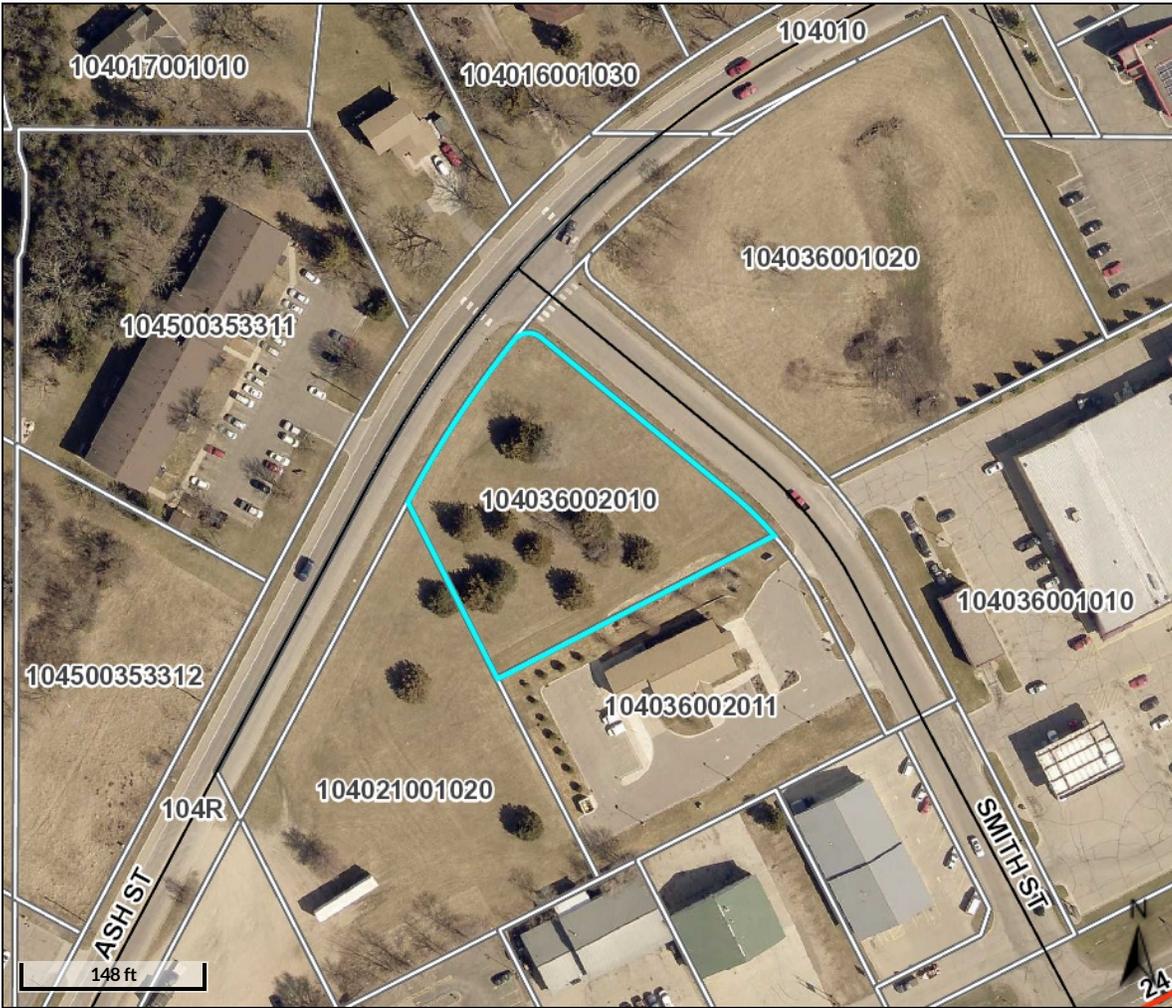
I have reviewed the plans dated April 27, 2020 for the above referenced project and have the following comments:

- 1) A shared access agreement shall be executed for the 2 parcels that share the common driveway off of Ash St. The agreement shall be recorded against both parcels.
- 2) All work within the public right of way shall be completed according to the City of Clearwater Development Guidelines.
- 3) Inspection will be required on all work located within public right of way. The applicant or contractor shall contact John Schmidt, Public Works Director, to schedule an inspection a minimum of 24 hours in advance of the work being completed.

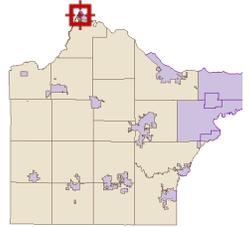
I recommend approval of the site plans contingent upon the above comments and comments as submitted by other City Staff. The applicant shall submit revised plans for approval by the City Engineer prior to construction beginning.

JLK/jk

cc: Annita Smythe, City Administrator, City of Clearwater
John Schmidt, Public Works Director, City of Clearwater
Deb Petty, Deputy Clerk, City of Clearwater
Kevin Shay, City Planner, Landform



Overview



Legend

Roads

-  CSAHCL
-  CTYCL
-  MUNICL
-  PRIVATECL
-  TWPCCL

Highways

-  Interstate
-  State Hwy
-  US Hwy

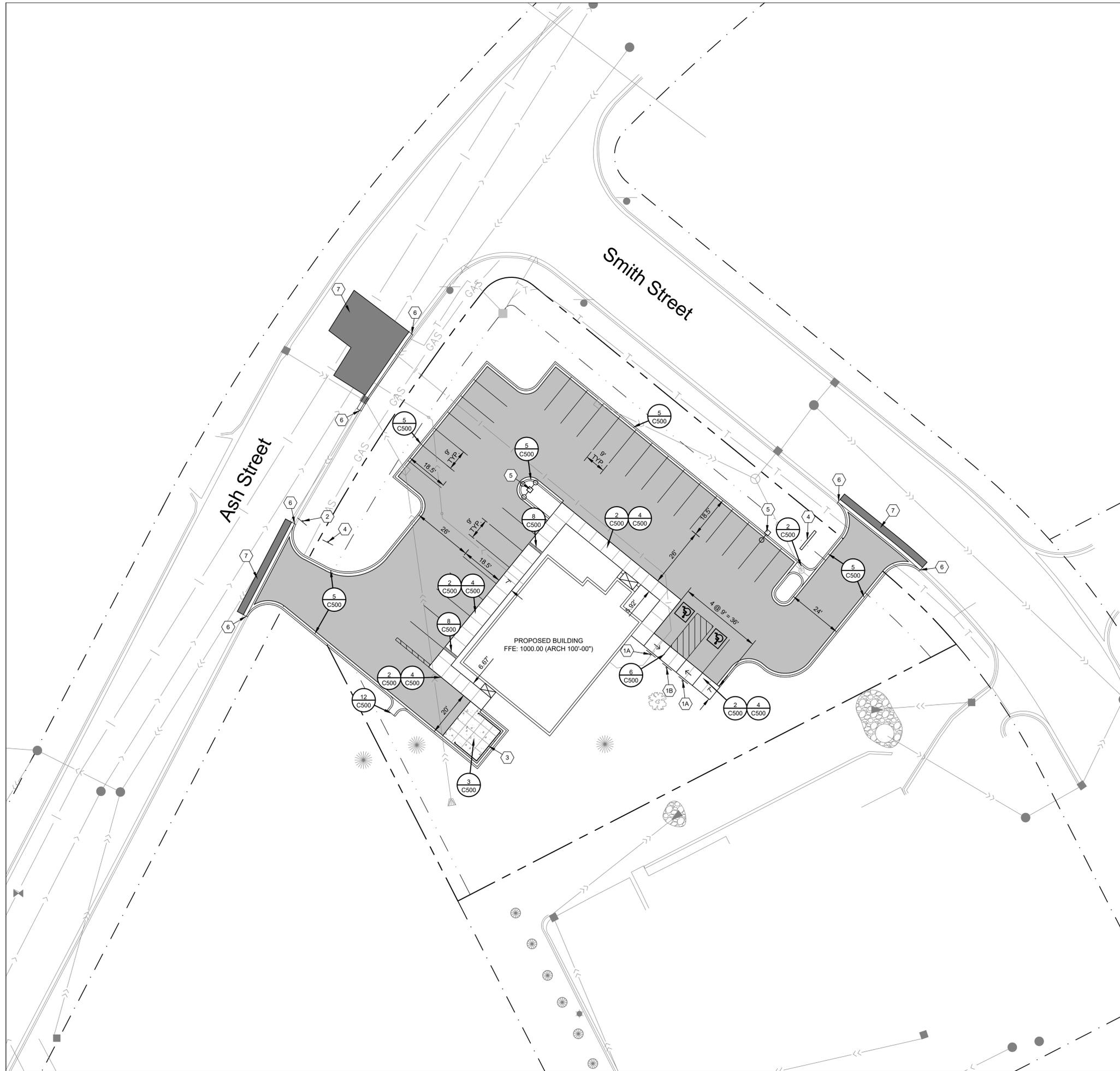
City/Township Limits

-  c
-  t
-  Parcels

Parcel ID	104036002010	Alternate ID	n/a	Owner Address	LFK ENTERPRISES LLC
Sec/Twp/Rng	35-123-027	Class	233 - COMM LAND & BLDGS		723 CASCADE RD
Property Address		Acreage	n/a		SOUTH HAVEN, MN 55382
District	0402 CITY OF CLEARWATER 742 W				
Brief Tax Description	Sect-35 Twp-123 Range-027 SMITH NELSON 2ND ADDN Lot-001 Block-002 EX TR DES ON DOC 1100090(002011)				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 5/20/2020
 Last Data Uploaded: 5/20/2020 4:10:39 AM

Developed by  **Schneider**
 GEOSPATIAL



SYMBOL LEGEND

-  NEW BITUMINOUS PAVEMENT
SEE DETAIL 1/C500
-  MATCH EXISTING PAVEMENT SECTION
-  NEW LIGHT-DUTY CONCRETE PAVEMENT
SEE DETAIL 2/C500
-  NEW HEAVY-DUTY CONCRETE PAVEMENT
SEE DETAIL 3/C500
-  NEW STOOP
SEE STRUCTURAL

KEY NOTES

- 1. NEW SIGN AND POST, DETAIL 7/C500
 - A ADA PARKING
 - B ACCESS AISLE
- 2. REINSTALL SALVAGED SIGN AND POST
- 3. TRASH ENCLOSURE, SEE ARCHITECTURAL
- 4. SIGN, SEE ARCHITECTURAL
- 5. LIGHT POLE, SEE ELECTRICAL
- 6. MATCH EXISTING CURB PROFILE
- 7. MATCH EXISTING PAVEMENT SECTION

Miller
ARCHITECTURE, INC.

320.251.4109 | 320.251.4693 fx
3335 West St Germain Street
PO Box 1228
St Cloud, MN 56302

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

Thomas J. Herkenhoff
Signature : Thomas J. Herkenhoff, P.E.
Reg. No. : 25520 Date : 04/27/20

Larson Engineering, Inc.
3524 Labare Road
Clearwater, MN 55110
651.481.9120 (F) 651.481.9201
www.larsonengr.com

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**ANDRA K SALON & SPA
NEW BUILDING
615 SMITH STREET
CLEARWATER, MINNESOTA 55320**

REVISIONS

Issue ID	Issue Name	Issue Date

SHEET TITLE
PAVING PLAN

DRAWN BY: N.J.N.	DATE: 04/27/20	PROJ. NO. 12206064.000
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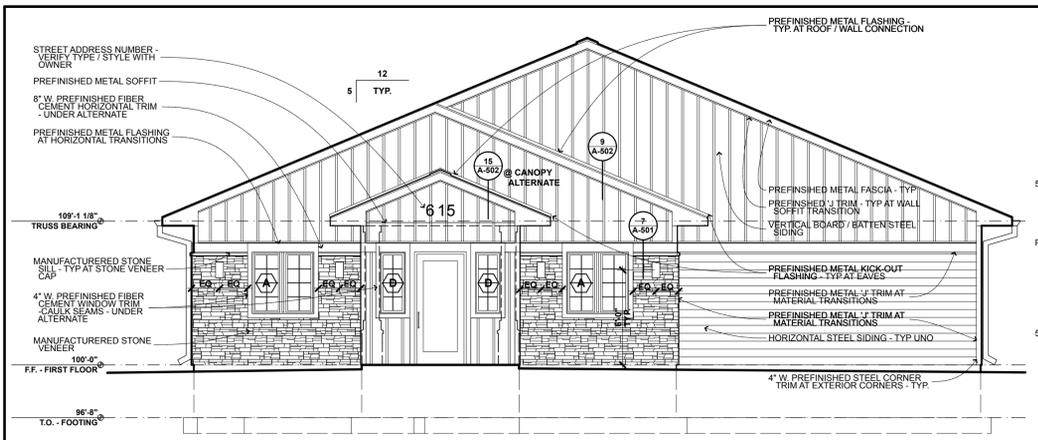
SHEET NO.
C200

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of MINNESOTA.

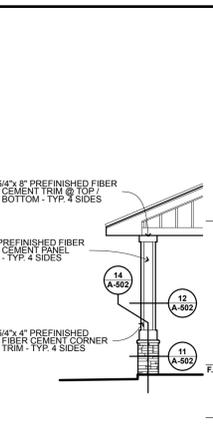
Bradley A. Torok
Signature: **BRADLEY A. TOROK**

Reg. No.: 24202 Date: 04/27/2020

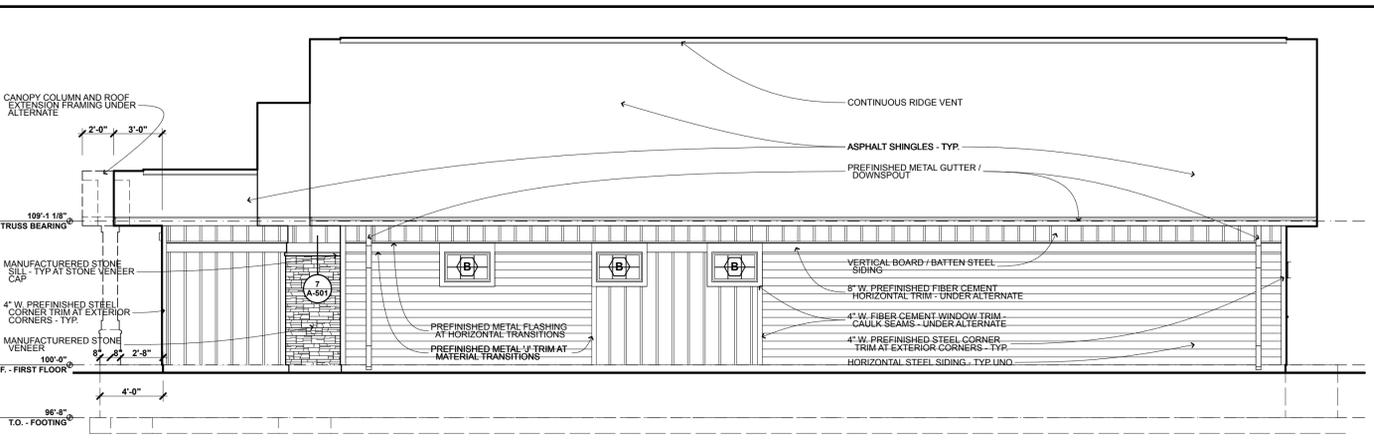
ANDRA K SALON & SPA
NEW BUILDING
615 SMITH STREET
CLEARWATER, MINNESOTA 55320



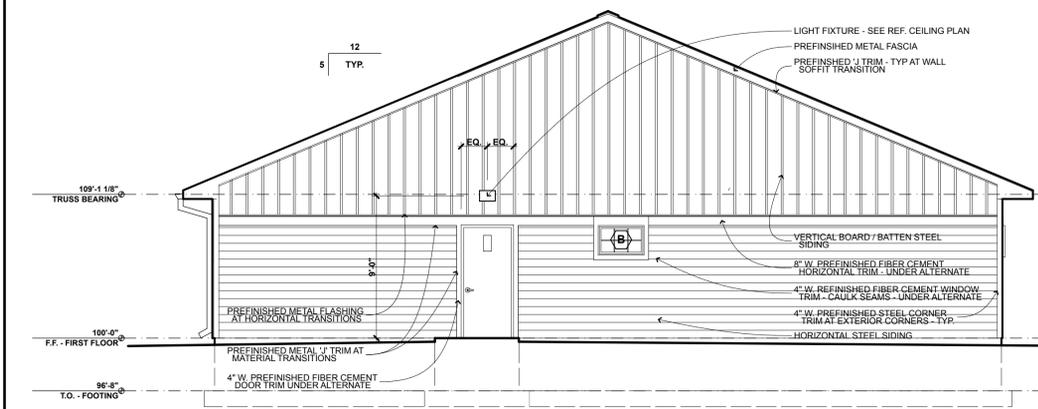
1 NORTH ELEVATION
3/16" = 1'-0"



2 CANOPY COL. ELEVATION
3/16" = 1'-0"
UNDER ALTERNATE

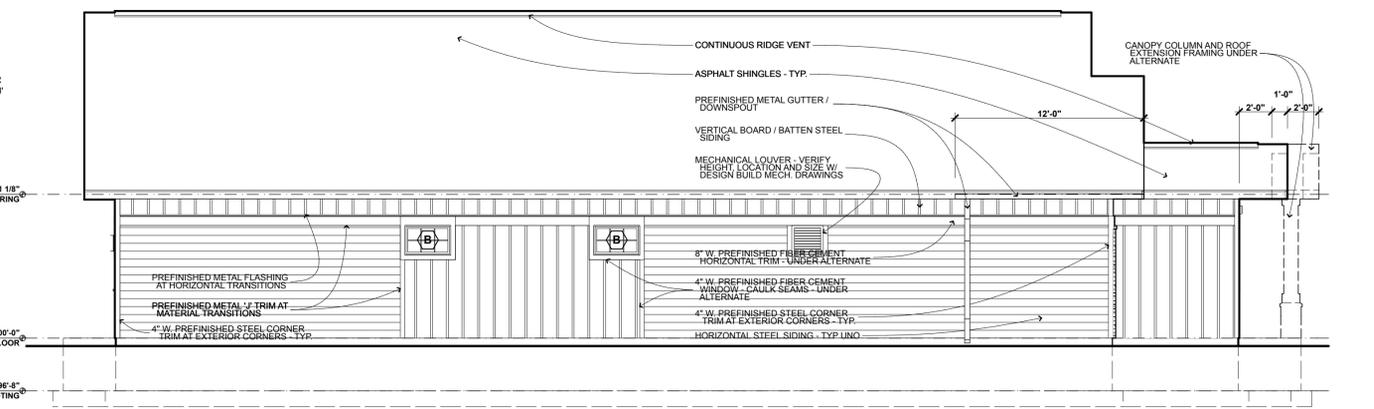


3 WEST ELEVATION
3/16" = 1'-0"

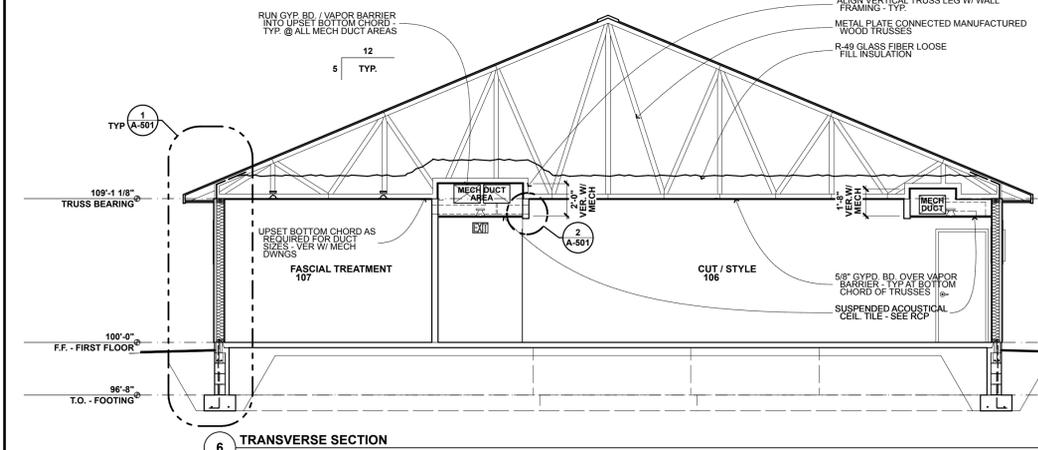


4 SOUTH ELEVATION
3/16" = 1'-0"

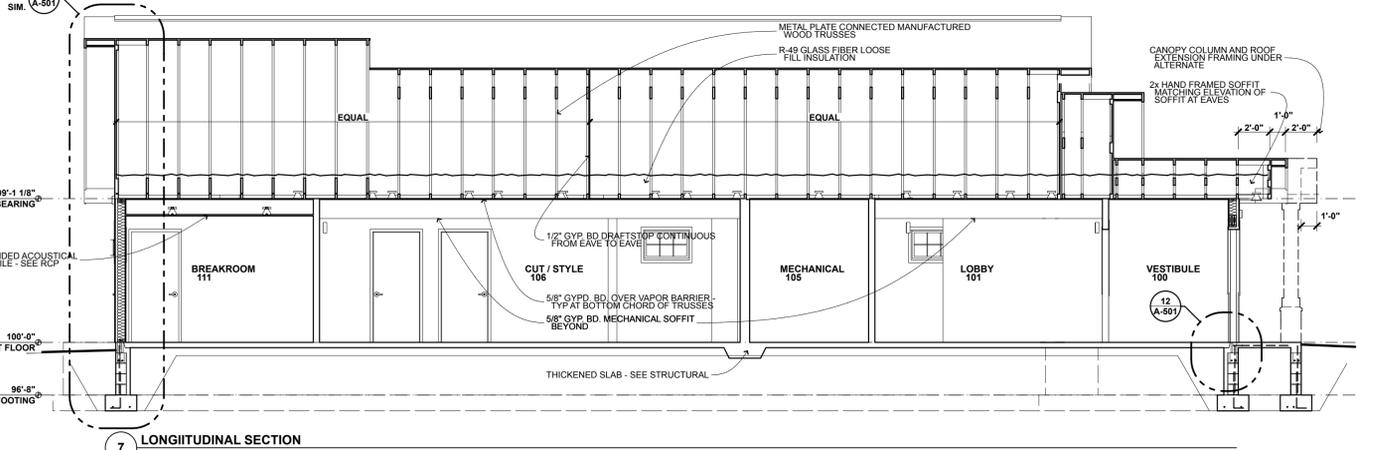
***NOTE:**
PREFINISHED FIBER CEMENT TRIM UNDER ALTERNATE BASE BID TO HAVE METAL 'J' TRIM AT MATERIAL TRANSITIONS



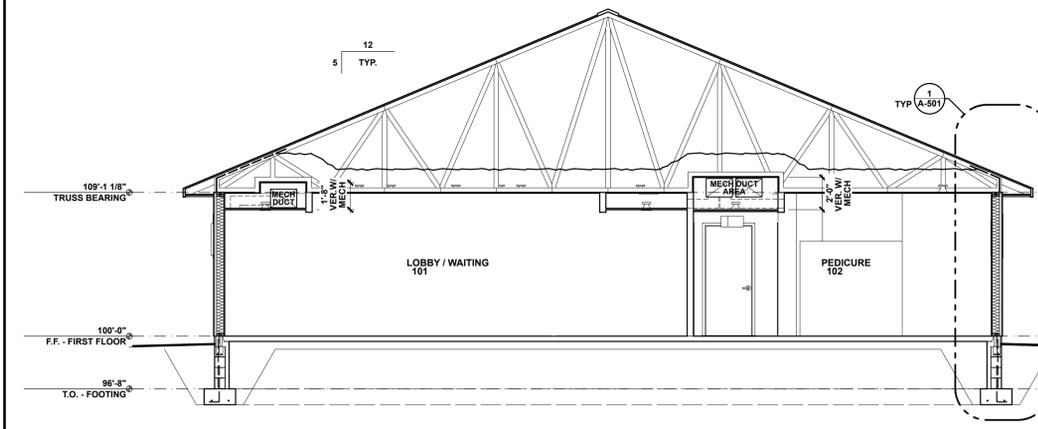
5 EAST ELEVATION
3/16" = 1'-0"



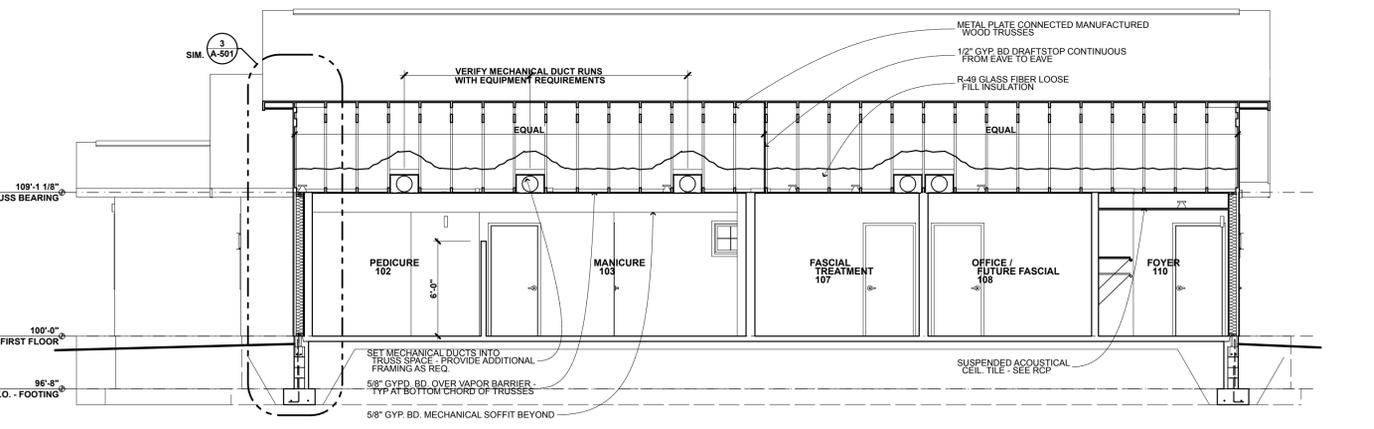
6 TRANSVERSE SECTION
3/16" = 1'-0"



7 LONGITUDINAL SECTION
3/16" = 1'-0"



8 LONGITUDINAL SECTION
3/16" = 1'-0"



9 LONGITUDINAL SECTION
3/16" = 1'-0"

REVISIONS

Issue ID	Issue Name	Issue Date

SHEET TITLE
BUILDING ELEVATIONS

DRAWN BY:	DATE:	PROJ. NO.
BAT & BLI	4/27/2020	30165

SHEET NO.
A-401