



COTTAGE GROVE PLANNING COMMISSION
12800 Ravine Parkway South
Cottage Grove, MN 55016

February 24, 2025

COUNCIL CHAMBER - 7:00 P.M.

The Regular Meeting of the Planning Commission was held in the Council Chamber and telecast on Local Government Cable Channel 16.

1. CALL TO ORDER

Frazier called the Planning Commission meeting to order at 7:00 p.m.

2. ROLL CALL

Pradeep Bhat-Here; Ken Brittain-Here; Jessica Fisher-Here; Evan Frazier-Here; Eric Knable-Absent; Derek Rasmussen-Here; Emily Stephens-Here.

Members Absent: Eric Knable

Staff Present: Emily Schmitz, Community Development Director; Samantha Pierret, Senior Planner; Max Erickson, Associate Planner; Jennifer Levitt, City Administrator; Crystal Raleigh, Assistant City Engineer; Justin Olsen, City Council Liaison

3. APPROVAL OF AGENDA

Brittain made a motion to approve the agenda. Rasmussen seconded. The motion was approved unanimously (6-to-0 vote).

4. OPEN FORUM

Frazier opened the Open Forum and asked if anyone wished to address the Planning Commission on any non-agenda item. No one spoke. Frazier closed the Open Forum.

5. CHAIR'S EXPLANATION OF THE PUBLIC HEARING PROCESS

Frazier explained the purpose of the Planning Commission, which serves in an advisory capacity to the City Council, and that 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 go to the podium and state their full name and address for the public record.

6. PUBLIC HEARINGS AND APPLICATIONS

A. NorthPoint/Lumbermen's - CUP2025-007

NorthPoint BGO Cottage Grove Logistics Park, LLC has applied for a Conditional Use Permit to allow outdoor storage encompassing approximately 54,500 square feet with a 10-foot-tall fence at their new location at 7701 100th Street South.

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

Frazier asked if there were any questions for staff; none were asked.

Frazier asked if the applicant would like to approach and add anything additional. Charlie Cannon, NorthPoint Development, said I just wanted to say thank you again for your time tonight, and thanked Matt for all his hard work with this being your first one; we appreciate it. Mark and Tom, thanks for your continued partnership. Just one thing I'd like to add with the existing outdoor storage at Building 1, that fencing will be removed; in fact, some of it is going to be used for Building 2, so that will transition over to Building 2, and then whatever other materials aren't used will be discarded properly. The asphalt will be repaired and replaced at Building 1, and there is no longer a need for outdoor storage there. And that's all, thank you.

Frazier said thank you, and asked if there were any questions for the applicant.

Brittain said so, you mentioned some of it would be removed, but then you said; is it all going to be removed? Cannon replied I'm sorry, yes, all of it will be removed. Some of the sections will be reused at Building 2, but from Building 1, all of it will be removed. Brittain said okay, thank you.

Bhat asked so, why do you need this additional outdoor storage space, although you have this indoor space in the building, too? Cannon replied I'll defer to Mark and Tom, if there's any operational specifics that they'd like to add. Mark Vander Bent said I work for Lumbermen's. Two years ago, I give you a little bit of a longer answer to that question: Two years ago, Minnesota was not on our radar of places we were going to open up business; and some of our vendor partners came to us and approached and said, hey, we really like the relationship we have with you guys, you guys do a really good job, we would love it if you guys would consider coming to the Minneapolis market and servicing that market. And, so, we put our heads together and did our research and decided that, yes, that would be a good thing to do, and so we moved out here about a year ago. We opened up last summer, early summer, and since then, the market has been really, really receptive to us and our business. And, so, as a result, we quickly realized that the 90,000 square feet, plus the current outdoor storage, was just not going to be enough for what we needed to do to stay within the restraints and to service this market. So, we quickly worked with Charlie and their team to say, hey, what can we do to get more space to accommodate this growth in business? And, so, as a result, we've made this move and need this move to continue to service this market and the growth that we expect into the future. Bhat said thank you.

Frazier asked if there were any further questions for the applicant; none were asked.

Frazier opened the Public Hearing. No one spoke. Frazier closed the Public Hearing.

Frazier asked if there was any further discussion by the commission.

Rasmussen said I feel like it makes sense, it seemed to work out pretty well on your project last year; I haven't heard of any complaints, it looks nice. You're just trying to expand, so I don't see an issue with that.

Fisher said I'll add to that. It's exciting to see somebody come in because a lot of us were on the commission with the NorthPoint Development; so, it's kind of cool to see a company come in that was like ooh, Minnesota, and now you're expanding so much that you need more space. So, I think that just says a lot to the location and the success of not only NorthPoint, but your business; so, congratulations on that. I agree the application seems pretty straightforward.

Frazier said I'll just add that I'm glad that it's working out for you guys, and you're needing the space to move in and that business is going well. The other thing I will add is we've had this outdoor storage at the other location, before this move, and there's been no complaints, there's been no issues with Code Enforcement. So, it seems like it's not going to cause the problems that we're looking for in a Conditional Use Permit (CUP) to change that; and so, I would be in support of the move and the change that's recommended here tonight as well.

Frazier said so, with that, unless there's any further comment, I'd look for a motion.

Fisher made a motion to approve the Conditional Use Permit to allow outdoor storage at 7701 100th Street South, subject to the conditions stipulated in the staff report. Rasmussen seconded. Motion passed unanimously (6-to-0 vote).

B. Kwik Trip - Cases SP2025-008, CUP2025-008, V2025-008

Kwik Trip Inc. has applied for a Site Plan Review, Conditional Use Permit, and Variances to construct a 9,176 square foot convenience store with an 800 square foot 10-dispenser island fueling canopy and a 1,200 square foot commercial diesel 3-

lane canopy in the southeast corner of the intersection at Jamaica Avenue and 95th Street on approximately 2.3 acres of the 6.77-acre parcel of land. The two variances are for the parking lot setback to be less than 10 feet from the side yard property line and to allow light banding around the exterior of the fuel canopy.

Pierret summarized the staff report and recommended approval based on the findings of fact and subject to the conditions stipulated in the staff report.

Frazier asked if there were any questions for staff.

Brittain asked in regards to the encroachment onto City property, is there a reason why they just don't buy that from us? I mean, what's the general philosophy with saying, because it sounds like they're actually building something on City property vs. just shortening how close they can get to City property. So, I'm curious what the process for that is and why leave it the way that it is vs. separating it out. And then is that portion of the City property to the east there intended to be for that water storage long term? So, we won't be building anything there, it's just going to be water storage. Pierret replied I'm going to throw it over to our City Administrator. Levitt replied those are really good questions, and maybe as I start talking, Sam can go back to the images to show the encroachment. As you saw on the site, when we originally had anticipated Kwik Trip, we anticipated they were actually going to be able to use all of the acreage of the site; and you have seen that less than 30% of the site is unusable based upon how the stormwater bisects the property. Kwik Trip has been very diligent to ensure that they don't touch any of the wetland or the tributary. So, as part of that, they have really endured a significant hardship. Since the City is both the seller of this and the owner of the pond we affectionately know as LP-3, the City didn't feel that it was necessary to charge or sell that specific piece to them; a simple encroachment agreement vs. a plat modification would not be necessary. And, so, it was a mechanism that we thought was easier for both the City and the applicant, to not endure additional costs. The other thing, too, as we talk, we know the Compost Site is going to be there for a short time. We do have a lease with them, but beyond 5 years, we don't necessarily see them existing there, and so we do have to help them find a permanent home. So, we anticipate that we would start constructing LP-3 in conjunction with the 100th Street reconstruction. So, I know you guys have seen that project as it goes out to connect with Highway 61, and at that time, we would start that excavation work and at that time, we would start to relocate the Compost Site. Brittain said okay, thank you.

Bhat asked how long is the encroachment agreement going to be? Is it term bound or is it as long as Kwik Trip exists? Levitt replied at this time we drafted it with no termination, so indefinitely in existence. Bhat said thank you.

Stephens said first of all, the stormwater slides were very nice, I liked those. So, this is more just out of curiosity, but in terms of a gas stations, like in our City Code, I feel like when you look at a gas station and you look at it going in right next to some stormwater features, I'm curious what; so, I think like the public perception is gas station means leakage means water contamination, or groundwater contamination. What sort of measures are either in our Code or just maybe like standard gas station development measures today that protect the groundwater resource, which is so close? So, I know they can't infiltrate, but thinking about just what sort of like makes its way in accidentally, and how does that stay protected? Levitt replied those are great questions because you're right, it's always hard, right, when you have gas stations next to wetlands. We have to be extremely sensitive to that. One other additional fact is that this site is outside of our wellhead protection area; so, that's one element we aren't having to worry about in this situation. When we look at the stormwater basin, as you said, we're not infiltrating. So, for us, we're looking more at a clay liner or a membrane to prevent the infiltration. So, that way we obviously have a faster response time if there is a spill, but I'm sure the applicant can probably speak to all of the things that they have on site to prevent spills and their containment system that's quite extensive. But at this point, we feel very strongly with the pond design, with either a clay liner or a membrane, we would be able to stop that discharge to a larger regional system.

Bhat asked so, in one of your earlier slides, you mentioned planting additional trees; are those additional trees or were they just accounting for the existing woodlands? Pierret replied the trees that are being proposed are the required amount of landscaping that's required per their site area that is being disturbed, is what we're calling it. So, in Industrial Districts, you take the site area as a whole and multiply that by some various coefficients, and we don't need to get into all the math here, and that tells you how many trees need to be present on the site. In this case, we did take just the disturbed area because they are conserving those wetlands and everything, and that number once we did that math, are the numbers of trees and shrubs that were required to be planted by the applicant. Should they need to do any additional tree mitigation after that tree inventory is done, we will also be taking that into consideration, and they will need to mitigate that, of course. That will be discussed once we receive their plan for that. Bhat said thank you, one more question. So, if Rumpca, that Compost Site is going to go, let's say in 5, 6 years time, I thought that you had proposed that a new entrance should be built for the Rumpca site? How does that work? Levitt replied

so, right now, the existing driveway actually comes off closer to the intersection of 95th Street, where it actually bends up into; that's where the existing driveway is, but one of the interesting things is you will note with the dashed red wetland, we can't actually extend the driveway from that location down to their current operation because we'd be impacting a wetland. So, we need to actually shift the driveway further into the site to enable us to avoid the wetland and be able to construct the driveway. One of the challenges that we're having right now is just trying to make sure that that driveway is not too steep going into the Compost Site; so, we just need to work with the applicant on the final grade to make sure that that transition and that grade change into their site doesn't adversely affect their operations.

Frazier asked if the applicant would like to add anything additional. The applicant, Lisa Watson, Real Estate Manager for Kwik Trip in Bloomington, Minnesota, thanked Samantha, Emily, and Jennifer for working with us on this proposal. This is a long time coming to be back in front of you for this opportunity. One of the things I just wanted to address was the variance and the conditions of denial of no light ban on our canopies. We understand the spirit of the ordinance, and I did my own little research in your City on the gas stations, and three of the Holiday gas stations, obviously none of them have canopy-banding lights, but the buildings do; the buildings have a bright blue banding light around the building itself, around the car wash entrance, around the monument sign. We are not asking for any of those light bands around those features; our building doesn't actually have a light band around the structure, but we are asking for the light band on the canopy and the reason being just to switch out. But a couple reasons: 1) Overall location, where we're located off of Jamaica and 95th is not super visible from Highway 61. And, as many of you know, our main purpose is convenience and visibility, people want to be able to see before they get to us, to not make a quick blinker and cut someone off to get over. So, it does help with our visibility, people look for that band to identify where we're at. 2) We're not asking for a variance for a sign, we normally would like a taller pylon sign for that visibility also because we're tucked back into the Industrial Park, but we are not asking for that; and we know offsite signage also is not allowed, so we feel that might be a fair tradeoff. It is a part of our brand identity, which people identify. Out of our 850 stores, there are only 15 that don't have that red banding because it's a significant part of how we look in the community. I think, as you guys can tell by the materials we use, we pride ourselves on using the highest-quality materials. So, we don't feel it's a true billboard-looking light, it's very professional, meets the LED photometric, and does not go off the site. The other part of that is we're not next to any residential, and we're also not next to any retail or business. If you look at the current gas stations that are in your community, they're all in very well-lit, well-driven retail business areas. We are not, we're the only business that will be in this Industrial Park, and that's why we are asking for consideration for this variance. The other part is we can also dim that LED light band; so, many people aren't aware of that, but we can actually dim that LED light band that goes around the canopy. Because we're in the Industrial Park, I think from a safety aspect and because we're adding a trail and encouraging people to walk, even hopefully from the community that might be to the west of us, lighting, all of it, helps provide safety for people; and that's really what our spirit of adding it is from branding and a safety standpoint. So, we would just ask that consideration of dimming the light strip be considered or we could do the light strip with no lighting, but just have a red strip with our logo. So, those would be the two considerations that I'd ask the commissioners to consider for our CUP.

To speak to Commissioner Stephens' question about environmental, we have a very strict on how our environmental system works. I actually have a document, I don't have it with me, that has the monitoring system, how we're double walled, how its all set up. This system has passed in wellhead protection areas. So, I am happy to send that document to Emily and Jennifer and Samantha to forward to you guys so that you can see how strict our own guidelines are in regards to the tanks and infiltration of stormwater because it is very important. I actually have a project myself in one of the communities that is in a wellhead and was able to go in because I provided this document to show them what we actually do to protect that.

So, I will take any other questions that the commission may have.

Frazier asked if there were any questions for the applicant.

Rasmussen said I'm curious about the fueling tanks since we're talking about infiltrating and stuff, can you explain are they steel tanks or are they poly tanks? Watson replied they're not, they're not steel tanks, they're double walled. I want to say, I am not the storage engineering expert, I have a storage engineering expert, who designs all our plans that you see up here. That's why I want to send you the document, so I don't misspeak, but they are double walled and they are not steel. And we hold ourselves to the strictest inspections; I think if you guys were to go on the MPCA site, I don't even know the last time we probably had a leak because they're on a regular rotation, even on our CapEx budget. So, we're constantly ensuring that there are no issues with our tanks, but I am happy to send you that document. I do not want to misspeak, but I know they're double walled and I know they're not steel. Rasmussen asked do you know how often they get inspected. Watson replied I want to say it's annually, if even more than that. Rasmussen said all right, thank you.

Council Member Olsen asked may I chime in on that question? I work in the business, so I can give you a little more insight, maybe. I do not work for Kwik Trip, but I have worked for several retailers in the business and currently work in that business. Most retailers use fiberglass on their tanks whereas maybe 40 years ago you'd find more metal in the ground, and that's because as we both know, metal is subject to rust and other sorts of challenges when it meets with moisture or freeze-thaw cycle, those kinds of things. The fiberglass tends to not have that same issue. Most tanks are at least double walled, they do make a triple-walled tank as well, and then every retailer in the State of Minnesota has to put in underground monitoring systems. So, those systems have alarms built into them, both silent and loud, that will indicate if there's any sort of weirdness in the soil surrounding the tank that could potentially be a leak; and all of that is monitored 24/7, 365, they usually have a signal that goes to a corporate entity and then, of course, in the store. The last thing is they are inspected annually, just like your fuel pumps are, so it's the same people who come and check all of that stuff. Sometimes the State will even outsource those inspections to professionals, like the petroleum maintenance group that works here in the Twin Cities that does a lot of the various repairs and things, so that they stay on schedule should any kind of situation come up where they're short an inspector or whatever that kind of deal is, so. Any questions about that or anything else, I'm certainly happy to try to answer them if you like. Frazier and Watson both thanked Olsen.

Stephens said I just wanted to say I would still like to see the document you said you wanted to send, if you could still send that; even though you talked here a little bit, I'm really curious about it, so. Frazier said and I think Council would probably like to see it, too, when it comes for final approval. Watson and Olsen agreed. Watson said but he is accurate, there are two alarm systems, I do know that, and I've seen them in the store where it actually comes in, and it's monitored offsite, in our corporate office.

Bhat said considering that this fuel station is going to be next to a wetland, what kind of care or consideration have you taken for the placement of these fuel tanks because it's next to a wetland? Watson replied so, when we design and it goes to several designers, they're the ones who look at this and say where's the best location for the tanks in regards to the stormwater but also accessibility. So, the fuel tank, if you look at this photo, is up in the upper righthand corner, the big square. So, it's going to be up in this area, right here. So, the fuel tank is going to be up, away from the stormwater, and again, placement of it, a couple things need to be taken into consideration: 1) When the fuel truck comes in, that they're not blocking consumers, it's not a safety hazard. It is really, really important for us that the driver, when fueling, is not in the vicinity that a car could come and hit them. So, we have to place the tanks where we know the tanker's going to come in and the driver is going to be on the safe side of where he's going to be filling those underground tanks. 2) The other part is vicinity from potential stormwater, things like that. 3) And then also to ensure that again, we're not blocking and potentially causing a hazard within our own site and from a safety standpoint, if there was a fire or something were to happen, that this is away from potential consumers and people being affected. Bhat asked and both the diesel and gas will be there? Watson replied actually, no, here's the canopy one right here; so, the canopy one is in front of the canopy, and the diesel one is over by the diesel. And when we can, we do share them if it makes sense; if on a Site Plan, we can put them in close vicinity, then we'll put them in between, but on this Site Plan, we could not do that.

Fisher asked so the right in and right out, off Jamaica, is that wide enough to; I would assume that lots of diesel will be coming out of this particular Kwik Trip, so is that wide enough for? Watson replied it's not, and so, I will tell you and thank you because this is one that's under consideration by my team if we keep this right in; because of the fact of the cost to build this and where it's located, I specifically asked my engineer today, can this handle a semitruck coming in? And it cannot, the turn radius is not big enough, and so, we will actually have a sign that will say cars only, but that's where we're right now weighing if it makes sense to construct that right in without having the trucks. And, trust me, the reason we did this site with diesel, when I observed the site multiple times and would park, just to look at the location, I almost got hit multiple times by semis coming out of Renewal by Andersen, coming out of NorthPoint. So, we know this is a great opportunity for us, but yeah, this right in, right out may not be. Fisher said so, continuing on with that, so, if I'm a semitruck driver and I need some diesel, what's my route going to be from Andersen, coming in? Taking a right off? Watson replied a right off 95th. Fisher said off 95th, a right in. Fisher asked but then how am I getting out of there? Watson replied you're going down to the second entrance, pulling through the diesel, and then your out is the third entrance. So, we're going to loop them around the back side and come out where the encroachment area is. Fisher said so, that's a left, which Watson confirmed. Fisher asked did you consider, maybe not, changing the diesel and the regular canopy? Because I just feel like that's, I don't know, it's kind of a weird like loop thing. Watson said, just so you know, in engineering there's a program they can use to do the turn radius of the trucks, and it would not work in that front area. We actually need to have in behind this, and we'd prefer that the first thing customers won't see is actually the semis on Jamaica, it's usually a request we get all the time, that the diesel canopy is behind the store or away from the main traffic. We have played with this site many, many, many Site Plans; so, what you're seeing is what we feel is not only pleasantly pleasing to you, the City, and the consumers, but also functional for all the drivers. Fisher asked so if you eliminate the right in, right out, then you wouldn't

have to go over that little stream situation there. Is there a way to do the right in, right out north of that stream and just make like a turn lane in, or? Watson replied actually, we have looked at it, but we don't think there's enough room in that area. I think we did look at it, Emily, with engineering, and I don't think it's feasible. Fisher said I'm not here to move a driveway. I just know like you're going to have a lot of semi traffic, and that's just the reality of the situation. I think putting a sign there, cars only, in theory sounds great, but also I think people are going to try to wiggle in there, and it might be well, I mean, nobody listens to signs. Watson replied I will say this, knowing and working with engineering, it looks like something is feasible, but we have played around with that driveway a lot, also. And, so, when you start to put in what has to happen with setbacks, especially off of Jamaica, and what is required to be able to do a straight in, it makes it a little more difficult. So, we'll take a look at it again for sure before final permitting, I will bring it up to the team to see if there's anything that they can do. I always take it back and say hey, is there anything, can you try one more time? Fisher said and I have one final question. So, the southernmost section of the parcel, is that pretty heavily wooded with the wetland kind of in there? I'm just wondering once you own the parcel, what kind of upkeep and what kind of attention that large chunk of the parcel will get. Watson replied it is, it won't be a lot, but it's enough; the permitting that's required for this is still DNR; like, there's a couple permitting things we still have to go through. But we maintain our properties very well, as hopefully most of you are aware of, and so, we will make sure whatever is required here that we do the necessary upkeep. Fisher said okay, thank you.

Frazier said I just have one question for you, it's about the light banding because I just want to clarify as to what the ask is tonight. My understanding was that the variance request was going to be withdrawn, but then you kind of suggested a couple other things. So, I just want to make sure I'm understanding as far as what Kwik Trip's asking us to do tonight. Watson replied I asked for the variance to be withdrawn, and asking in consideration either we do a plain light band, just a plain one with our logo, or if consideration would be given to a recommendation to have the light band dimmed. Again, my reasoning is the other stores have a band, it's just not on the canopy. We don't want it on our store, and we don't have a car wash entrance at this location; so, really, the amount of light banding is only on the canopy and that's the consideration and ask that I would be asking commissioners that you consider that, instead of on the stores and the buildings, it's just on our canopy. Frazier replied okay, understood.

Fisher asked on top of that, maybe for staff, I'm sorry, so are bands allowed on buildings but not on the canopy? Because I'm seeing in the packet that it keeps specifying that it's not allowed on the canopies, but it is allowed on buildings. Is that correct? Pierret replied that's correct. Bands are allowed on buildings, signs, car washes, and as the applicant pointed out, there are some within the City of Cottage Grove. The band is specifically on those canopies, and I'll just touch on kind of what the request was as far as just the stripe, not a lit stripe with the Kwik Trip logo, that would not require a variance. The words Kwik Trip may be lit, you will see some of the gas stations in Cottage Grove with their logo lit up, it's just that band around which is not allowed to be lit up. So, we would be happy to accommodate that request and no action would be needed on that by the Planning Commission tonight.

Frazier said so, I guess I just want to make sure I understand. So, they can put up a solid, red-colored band on the canopy, and then they can put Kwik Trip on there and have Kwik Trip lit up, the band just can't be lit up. Pierret replied Mr. Chair, you are correct.

Fisher asked can somebody give me the historical reason why a band on a building is okay vs. a band on a canopy is not okay? Because as I was reading the packet before you even spoke, I was kind of like that seems a little odd to me. So, I guess maybe if there's some historical information that can help me understand why it's put that way in the Code. Levitt replied since I think I'm the one who's been here the longest, I can maybe tell you the historical reference to it. One of the challenges that the City Council had probably 15-to-18 years ago was the fact that gas station canopies kind of glowed in the sky. They were very high, which is why we obviously got rid of our pylon sign standards so that we didn't have that large glow in the sky, so additional kind of light pollution in that regard, but undue marketing and attraction and potentially nuisance lighting. So, the Council at that time drafted staff to move away from allowing that, but as the applicant noted, there's nothing that prohibits the principal structure, the soffit area, from being lit. Some have obviously with new lighting technology taken that to their advantage with the way they have the LEDs on their soffits of their building, and so that's the history that's been there. And I guess one clarification, related to Condition #19: I need to make sure I understand the applicant is saying they'd be allowed to install the LED band, but they're saying they would not turn it on or operate it, so we need clarification of that; or is it just a painted red stripe, just so we ensure that that condition is correct. Watson replied thank you, Jennifer. For clarification, I think we would want to be able to install it and not turn it on in case the City Council and commissioners ever decide that this would be allowed. And, again, it's in the spirit of that we would leave it off, but that either I think I'd leave it to my signage team to say which is better visibility during the day; because as you may or may not know, sometimes lighting if its red at night may be actually a clear acrylic that's over it during the day.

And that's another point is the LED light that's on the canopy has an acrylic panel that is actually over it; so, my team may say no, we're not going to light it even, we just want a red band because it doesn't make any sense to have, but they may say if in the spirit you ever would consider a change, then we would install it. And we'd want to install it probably if there was a consideration because the cost to do it after the fact is significantly more. Frazier said thank you. I guess my reading and understanding of the conditions right now is that it could not be installed, even if it wasn't going to be turned on, and so that's Condition 19 right now as it's written is that it cannot be installed on the banding.

Bhat asked so if you're not allowed to use the light banding and you want to just light up the Kwik Trip logo, I don't know, you just have one logo for the entire canopy or you have like logos on each like three sides of the canopy where its visible? Watson asked is it on each side, Sam? I'm going to bring Sam back up. Pierret replied the Kwik Trip logo, the words itself, are proposed on three sides of the traditional fuel dispenser canopy, and that would be the south, west, and north sides, and you will be able to see them from the Right-of-Way somewhere. Bhat said, so, I guess my follow up then is, what is your concern of it not being visible? So, if you had your Kwik Trip logo lit up and its seen on all three sides visible, then would that alleviate your concern of it not being seen? Watson replied no, because depending on which direction you're coming from, that band, because of the length and width of the canopy, helps expand the visibility. So, it is nice to have the logo lit, which all the convenience stores and gas stations do have in town, but when you're coming from a distance, the more light there is, the more it's going to catch your eye; you may not catch the logo, but you may catch the band at a certain angle, and depending, as drivers do, if they're looking down or talking to their partner in the car or doing something, you may or may not catch it. So, yes, it works, but from a true like visibility, it just helps us be more visible from a distance. Bhat replied okay, thank you.

Frazier asked if there were any further questions for the applicant; none were asked. Frazier told Watson thank you very much.

Frazier opened the Public Hearing. No one spoke. Frazier closed the Public Hearing.

Frazier asked if there was any further discussion by commission. Brittain said you've done a great job on the presentation, a lot of great details, it looks like a tremendous project, so I'm real pleased with all the detail and everything that's gone into this. With respect to the light banding, I'm still strongly against that. Traditionally, in the community, yes, there are some roofs and signs that have this banding on there, and if there was some way for us to not have allowed that, then we shouldn't have allowed it to begin with. So, while I see them as two different things, one that we can control and one that we can't. The other thing would be consistency within the community if we allowed it to happen here, then another gas station that comes in, we have to allow that as well. I don't see it, I understand the reasons why the applicant would like to have this, but from a community perspective, trying to limit this type of accent I think is still important for us to maintain there what we've been doing. Fisher said I respectfully disagree with my colleague here; the only reason why is because this is an industrial use. To me, if this was in a development, absolutely not, that would totally make sense. But when you drive up to a fuel canopy like that and all the lights underneath it, those are all very bright, and like you said, a safety concern when you're moving traffic in and out. Like one red band to me in an industrial area doesn't, I mean, we allow bands on buildings, and the canopy is literally right next to the building. So, to me, it's not a big difference, right? Like I said, if it were in a residential area, if it were at Hadley and 80th or whatever, then absolutely not, I think that's a whole different scenario. But in the Industrial Zone, there's going to be a ton of trucks coming in and out, and I think the red band is a reasonable ask. Frazier said all right, thank you. I guess I'll just say, before we get too far afield on the banding question, that the request for the variance was withdrawn, and so that's not something we're voting on tonight. Fisher asked we're not even voting on it? Frazier replied no, I appreciate hearing everyone's comments on it, but the applicant has withdrawn the variance request tonight. I think going forward, that may be a discussion they want to keep having with the City and maybe it ends up in front of us, but at this point, I don't think that that request is on there. Currently, the conditions of approval would not even allow them to put it on and not turn it on; so, they would have to put a solid color barrier on there right now as the conditions of approval are reading currently. With that being said, any further discussion on the variance for the drive lane and then the Site Plan and Conditional Use Permit requests?

Bhat said so the question that I have is the pillars of the canopy are going to be brick walls, is that what it is? Frazier replied that's my understanding is they're going to redesign them in the picture we saw to put some brick on them so they match the convenience store, correct? Pierret replied Mr. Chair, you are correct. Frazier asked if there was any further discussion; Frazier said all right, seeing none, I'd look for a motion.

Brittain made a motion to approve the Site Plan review, Conditional Use Permit, and Variance, subject to stipulations in the staff report.

Frazier asked, Emily, did you have something? Schmitz replied as Sam noted at the beginning, there were three modifications, so I wanted you to be cautious of that to ensure that you incorporated that if that is your wish with Item #2, to extend from 1 year to 18 months; Item #25, to be 18 months; then to reword Condition 21 to allow the exterior storage display; and Condition 22, to extend to 18 months as well. With Condition #21, for that exterior storage display or sales of merchandise is permitted in a neat and orderly manner in all of the commercial pads and at the pump station. Frazier asked Brittain so does that motion include those changes we heard here tonight? Brittain replied yes, it does. Frazier said all right, so I have a motion to approve subject to conditions stipulated in the staff report with the amendments that Sam highlighted for us in her presentation. Is there a second to that motion?

Rasmussen seconded.

Frazier asked if there was any further discussion on the motion. The only thing I will say is again, thank you, I think for a very good presentation from both of you. It seems like this project, this piece of land, has probably been a little more difficult than it was originally anticipated when Kwik Trip started looking into it, but I know people in the community are very excited about Kwik Trip coming. So, hopefully, we will see you here for a very long time.

Motion passed unanimously (6-to-0 vote).

7. APPROVAL OF PLANNING COMMISSION MINUTES OF JANUARY 27, 2025

Fisher made a motion to approve the minutes of the January 27, 2025, Planning Commission meeting. Bhat seconded. Motion passed unanimously (6-to-0 vote).

8. REPORTS

A. RECAP OF FEBRUARY CITY COUNCIL MEETINGS

Schmitz summarized the actions taken at the February 5 and 19, 2025, City Council meetings. She then asked if Council Member Olsen has anything to add this evening.

Council Member Olsen said thanks, everybody, pardon my voice, I've been fighting the grunge for a while, so I'll keep it very short and very sweet. If you have anything for me, I'm here to answer any questions. I'm not going to do a lot of talking tonight because my voice is a little rough, but we do have a guest in the room if you haven't yet met our new Council Member, Dave Clausen, he's sitting to my left. So, Dave worked for the City of Cottage Grove for many years as a police officer-paramedic, and we're lucky to have him aboard with his vast institutional knowledge of kind of how the City works and his experience in the Public Safety realm will be invaluable to us. So, I just wanted to make sure you knew who it was who was sitting out there watching you guys do your business. Anything for me?

Fisher asked what was the fate of the walking path for Lochridge? Olsen replied the fate of the walking path was we chose to stick with the original plan, which was behind the properties; that would be directly in front of the body of water, some people call it a lake, some people call it a pond, I'm just going to call it a body of water because I don't know what the proper name for it is. But what I will tell you is staff took a lot of feedback that you provided at the last meeting and also got a lot of feedback from all the various Council Members; because many of us actually went out to those homes and met with those homeowners and walked the properties and tried to understand the lay of the land, as it were, with regard to how close to a trail would a back yard be and those sorts of things. And they made some very nice adjustments to the plan around screening for the trail with some different tall shrubs or trees that will help provide a little bit better sense of I don't know if it's security or privacy, or a combination of the two that people were worried about. But we ultimately felt the best option was to stick with the plan to go around the body of water. We did consider the wood walkway in the water, but its terribly expensive and requires an awful lot of maintenance, etc., so we ultimately chose to stick with the original plan.

There were no further questions, Frazier thanked Council Member Olsen.

B. RESPONSE TO PLANNING COMMISSION INQUIRIES

The Commission received a memorandum from Assistant City Engineer Raleigh regarding the future plans for Jamaica Avenue from 70th Street to Military Road, so we will consider that one closed.

C. PLANNING COMMISSION REQUESTS

Frazier said I do have one thing, since we talked about it during Kwik Trip, currently are gas stations and other businesses in Cottage Grove allowed to have light banding on their buildings, or is that one that is grandfathered in now? Schmitz replied our Code as written does not prohibit light banding on principal structures. Frazier replied okay. I don't know if anyone else on the commission would join me in this, but I think there were a couple businesses that were mentioned tonight that have that; and I think there was some discussion by you, Emily, of new technologies that allow light banding that makes it a little brighter and causes some of those, I think, light pollution issues that we were concerned about with the canopy lighting. So, I would ask staff if we could look into discussion about whether or not that should be something that continues and what the benefits and the cons are of regulating those.

Brittain said I will support that, and I'd also like to add one of the things that I found the most problematic with those is on the signing, not necessarily the building, which I'd be fine with the building going away, too; but the neon lighting on the Holiday right out in front of Cub was so unbelievably bright my photographs would dim if I pulled up to the light. That's a visual distraction to a driver, so, yeah, it's drawn my eyes attention to it, but it shouldn't be. I know the gas station's there, there's plenty of light, so that amount of light in an LED type of line is not a broad, diffuse illumination. So, if there's anything that we can do, if it's not the buildings, even the signs, and I would also extend that to businesses such as like the smoke shops that have their windows lit up like Christmas trees 24/7, that's a visual distraction when I should be concentrating on the road. Yes, have signage, it should be indirectly lit. I shouldn't have catching something out of the corner of my eye that I know we don't allow flashing, which is incredibly important not to, but if we could somehow decrease or have some type of consistent method of preventing a little Vegas-type atmosphere with the amount of lighting that's coming out of some of these instances, that would be great.

Fisher said on the light subject, so, I think it would be important to consider because we have such a humongous Industrial Zone, like consider if there are different implications of lighting in an Industrial Zone vs. the Residentials, too, because I think that's important to distinguish; when you've got lots of semis rolling around, I think more light is better.

Stephens said I actually don't want to comment because I'm ready to go home, but I do think that when I need to go get gas at midnight, I'm happy that gas stations are lit up and bright, and I think it's also a safety thing. So, while the banding maybe isn't necessary, but if that's going to be something removed, I think it's important that they're very well lit because you have a lot of semitrucks; just like they're open 24/7, I think it is a safety thing, and I can't be the only one that when I need gas in the middle of the night, I'm looking for the most lit one, I'm going to avoid the ones that just have like a few dim lights, so I think there's a safety piece there also.

Brittain said so, those are great thoughts and I agree well lit is better if we're going to well light them having downward-directed light that's diffuse, I think is the key. I feel that this intensely-focused lighting is where the problem is, and granted, there's differences of opinions, but I do agree with well lit. I don't have a problem with things being well lit, and if you looked at the illumination plan from the Kwik Trip, there is white light everywhere, which is great, it looked like it was very well lit; so, I am in support of well lit, but it shouldn't be leaving the property and illuminating areas outside of it or a distraction from a significant distance type of thing, in my opinion.

Frazier said yeah, and I guess I was talking more about advertising lighting, rather than safety lighting or something like that. It's lighting that's trying to draw your attention to a product rather than create safety or, you know? Stephens replied I think it contributes, though, I guess is what my focus was, the big glow helps it. Frazier said well, yeah, and that's why I think it's fair if staff comes back and says, you know, we looked at this, and actually we think it is a good idea because it provides some additional lighting or whatever, that it'll make it a better property, that's fair. And I'm not saying I'm a fan of banning it altogether, but just if we can maybe tweak that; just because it sounds like there are some instances where it's being potentially misused, but they're doing it fairly right now because we don't have rules around it and just see what we can, if this is something that we should get into. So, that's what I'll say, okay?

Frazier asked if there was anything else from that, or if there are any other requests for staff now that we've given them a laundry list of things to look at before the next meeting.

Frazier said no more requests, then. Before we do adjournment, I do just want to note that this is Commissioner Rasmussen's last meeting with us. He has been a Planning Commissioner since March of 2016; the past couple years he has served as the Secretary for the Planning Commission and done a great job with that every meeting, taking attendance, but also just a leadership role in being on the commission. Derek, I know I can always trust that you'll have something, a good question for the applicant or at least provide your opinion when we're talking, with discussions around, you're sitting here quietly. Before we take a vote, you ask very insightful questions, you've obviously had a lot of experience on the commission and seen a lot here in the City; and so, I want to thank you on behalf of the rest of the commission and the City for serving on this role. I know just from my experience on it, it is not always an easy one, it's not always one that makes everyone like you a lot, but it's a very important role, and you've been taking time out of your family and your life to come and do this. So, I want to thank you for doing that for the City of Cottage Grove. Rasmussen replied thank you, I appreciate it. Council Member Olsen asked may I hold you from adjourning for just a moment? If it would be acceptable with the Chair, maybe we could come down in front and get a nice picture. Frazier replied yes, I didn't know if we wanted to do that before adjournment or after, but we can do it before. Frazier asked everyone else to join me in front here for the picture. Frazier presented Rasmussen with a plaque from the City, and Schmitz said she'd be happy to take the picture of the Planning Commissioners with Council Member Olsen, as well as a picture of Rasmussen and Council Member Olsen. Council Member Olsen said let's give Derek an opportunity to share a few words before we adjourn.

Rasmussen said so, this is nice, thank you, I look forward to hanging this in my office. You know, in nine years here, I feel like Cottage Grove has grown quite a bit in nine years, it's really been rewarding watching projects come in, seeing them get built and developed. It's very educational, I learned a lot about the City process and how things happen, and I just really enjoyed volunteering. Hopefully, I get a chance to volunteer again, whether on this commission or another one, I really look forward to that. Council Member Olsen asked if have the rules been explained already to you, in terms of your time away vs. when you can jump back on? Rasmussen replied I believe I've got a year break before I can. Council Member Olsen said yeah, if you have any questions, ask Ken. He's done it six-or-seven times, I think, already. But, yeah, you basically take a year, catch your breath, and then if you're still interested in serving on another commission or this commission, please absolutely reapply; there's such a need for really good volunteer advisory commissions, and I think sometimes our commissioners maybe don't quite understand the degree of gratitude that we as a City Council hold for the work that you do. You have to remember that part of our job is we have to know a little bit about a lot of things, and when we get those big packets on a Friday of 700-or-800 pages of stuff that we have to do, one of the first things we look at is what did the commission think of this? And a perfect example of why that's such a critical thing is when you think about the action that you took, 4-to-3, on that Lochridge Development last go round, you then prompted many of us on the City Council to actually go out to the site, to meet with the neighbors. I know Dave did, I did, I believe Council Member Garza did as well; I'm not sure about the mayor, but he intended to, so, generally he does do things like that. But because you had that robust debate amongst all of you with various backgrounds and experiences and different pieces of knowledge, like Derek, for example, I believe you're a construction manager, right? That was confirmed. So, you come at the problem from one angle, whereas Evan, who is an attorney, comes at the problem from another angle, whereas Ken, who's an engineer, comes at the problem from a completely different angle. And then all of you bring that specialty, and what that does for us is it helps us know that whatever decision was made went through a very rigorous review process. And it enables us to feel more comfortable and confident that the staff has had ample opportunity to refine, refine, refine based on your feedback. Each and every one of the commissioners who serves in a volunteer capacity with the City of Cottage Grove deserves our gratitude. Derek, for as long as you've given us, because look, I was a commissioner, too, man; these meetings take time away from your family, your friends, your this, your that, the other thing. It really means a lot, so thank you so much for dedicating that time and investing your time in the City. With that, Mr. Chair, back to you.

Frazier said all right, thank you. He asked Rasmussen if he'd like to make the motion to adjourn.

9. ADJOURNMENT

Rasmussen made a motion to adjourn the meeting. Brittain seconded. Motion passed unanimously (6-to-0 vote). The meeting was adjourned at 8:20 p.m.