

1 CITY OF ST. ANTHONY  
2 PLANNING COMMISSION MEETING  
3 MARCH 21, 2023  
4 7:00 p.m.  
5

6 **CALL TO ORDER.**

7  
8 Chair Socha called the meeting to order at 7:00 p.m.  
9

10 **PLEDGE OF ALLEGIANCE.**

11  
12 Chair Socha invited the Commission and the audience to join her in the Pledge of Allegiance.  
13

14 **ROLL CALL.**

15  
16 Commissioners Present: Chair Socha, Commissioners Erickson, Gaveske, Hendrickson  
17 (arrived at 7:14 p.m.), Kuykendall, and Morita.  
18

19 Absent: Commissioner Rude  
20

21 Also Present: City Planner Stephen Grittman, Assistant to the City Manager Nicole  
22 Miller, and Student Liaison Alayna Peterson.  
23  
24

25 **I. APPROVAL OF THE MARCH 21, 2023 PLANNING COMMISSION MEETING**  
26 **AGENDA.**

27  
28 Motion by Commissioner Morita, seconded by Commissioner Erickson, to approve the March  
29 21, 2023, Regular Planning Commission Meeting Agenda.  
30

31 **Motion carried 5-0.**  
32

33 **II. APPROVAL OF THE FEBRUARY 21, 2023, REGULAR PLANNING COMMISSION**  
34 **MEETING MINUTES.**

35  
36 Commissioner Kuykendall noted the spelling of his last should have a “y” between the “u”  
37 and “k”.  
38

39 Motion by Commissioner Morita, seconded by Commissioner Gaveske, to approve the  
40 February 21, 2023, Regular Planning Commission Meeting Minutes as corrected.  
41

42 **Motion carried 5-0.**  
43

44 **III. PUBLIC HEARING.**

45  
46 A. Conditional Use Permit Request 2933 Pentagon Drive.  
47

48 Chair Socha opened the public hearing at 7:03 p.m.

1 City Planner Steven Grittman reviewed the applicant (Heaylan Omer) is seeking approval of a  
2 Conditional Use Permit for an Adult Daycare Facility in the “C” Commercial District. The  
3 site is zoned “C” Commercial and is surrounded by other Commercial parcels and business  
4 tenants in the shopping center.  
5

6 The proposed use would be as a commercial Adult Daycare business. The applicant notes that  
7 the use supports vulnerable and developmentally disabled adults from the surrounding areas.  
8 The applicant has stated that the use would operate during daytime and weekday ours, with  
9 many of the clients arriving via van operated by the facility.  
10

11 The space is a portion of the existing St. Anthony Shopping Center, a structure that occupies  
12 the northeasterly portion of the site, along with a second major building to the west, and with  
13 its attendant parking and circulation spaces. The building exterior would be modified only  
14 slightly through internal remodeling to accommodate the proposed use. While client parking  
15 would be available in the parking field southwest of the building (to the front), the facilities  
16 two vans would have access, and be parked along the northeast wall which serves as a service  
17 area and drive for the center. The vans would be parked on-site when not in active use.  
18

19 Staff has reviewed the project for land use compliance with the intent and policies of the  
20 City’s Comprehensive Plan, and for zoning consistency with the “C” Commercial District as a  
21 baseline. The Comprehensive Plan promotes use of the subject properties that reflect the  
22 proposed commercial uses in the area. The proposed Conditional Use Permit meets the  
23 requirements of the Zoning Ordinance for the baseline district zoning standards. Planning  
24 Staff recommends approval of the Conditional Use Permit to allow the proposed Adult  
25 Daycare Facility in the proposed location.  
26

27 A conditional use permit may be granted only by a majority vote of all members of the City  
28 Council after determining that:

- 29 1. The use is one of the conditional uses specifically listed for the district in which the  
30 property is located;
- 31 2. The City Council has specified all conditions which the City Council deems necessary to  
32 make the use compatible with other uses in the area;
- 33 3. The use will not be detrimental to the health, safety, or general welfare of persons residing  
34 or working in the vicinity or to the values of property in the vicinity, and
- 35 4. The use will provide a service or a facility which is in the interest of public convenience  
36 and will contribute to the general welfare.  
37

38 Staff recommends approval for an Adult Daycare Facility with the following conditions:

- 39 1. Issues related to building, fire, and other related city codes shall be subject to comment  
40 and recommendation by applicable staff.
- 41 2. The applicant receives and provides the required licensing from the State of Minnesota  
42 and provides evidence of such licensing throughout occupancy in the space.
- 43 3. The CUP is provided for the requested tenant suite only. Changes in location, size,  
44 operation, or other aspects of the facility will require a new CUP application.  
45

1 A drawing indicating the proposed tenant space and application submitted were included for  
2 Planning Commission consideration.

3  
4 Commissioner Hendrickson arrived at the meeting at 7:14 p.m.

5  
6 Chair Socha asked if the license would limit the hours the facility could be open. Mr.  
7 Grittmann stated it is up to the City if they want to limit hours for the facility. She does not  
8 want it to become an overnight facility. The application specifies the hours would be 8am –  
9 4pm.

10  
11 Commissioner Kuykendall referred to the loading and unloading of attendees and asked  
12 whether that would be in the front or the back of the facility. The site is adjacent to the library.  
13 He recalls there are three parking stalls in front of the building. That volume of cars coming to  
14 that location may present a problem as the parking is usually full. He asked if the individual  
15 parking spots need to be designated to the businesses in the shopping center. Mr. Grittmann  
16 stated there is a generalized parking requirement and where these kind of uses have parking  
17 issues the landlord and the tenant work that out to make sure a particular use doesn't chase out  
18 the other tenants. Commissioner Kuykendall feels the traffic flow may be an issue. Mr.  
19 Grittmann noted the van will load and unload in the rear of the building through an access door.

20  
21 Commissioner Morita asked there is any concern on facilities such as bathrooms for 60 people  
22 as that facility was not built for that volume of people. Mr. Grittmann stated those kind of  
23 services actually are all within the State licensing review and that is the responsibility of the  
24 State Licensing Board.

25  
26 Chair Socha asked if there would be any concerns about sewer capacity. Mr. Grittmann stated  
27 they would not expect there to be a difference but that is one of the things the building official  
28 and other code officials would review.

29  
30 Commissioner Erickson stated he shares the concerns about the parking but it makes sense the  
31 tenants and landlord would work that out together. He stated his other concern is the health  
32 department with the facility providing two meals a day to the clients and how that was going  
33 to work and how food deliveries would be handled. Commissioner Erickson also expressed a  
34 safety concern as there doesn't appear to be any dedicated outdoor space. He asked what if the  
35 clients wanted to go outside or eat lunch outside on a nice day. Mr. Grittmann stated from his  
36 review of the DHS rules there is not a requirement for an outdoor space. Mr. Grittmann stated  
37 either a commercial kitchen would be needed or the meals would need to be catered in. DHS  
38 Department of Health would regulate that.

39  
40 Commissioner Morita stated he has seen a couple of Adult Day Care Centers in the Skyway  
41 System downtown with no outdoor space.

42  
43 Chair Socha noted the sidewalks are good at the shopping center. She asked if anyone else has  
44 any concerns about the operating hours. There were no concerns mentioned.

45

1 Commissioner Gaveske stated the proposed hours seem fine. Mr. Grittmann pointed out that it  
2 would be a violation of their license to have any overnight stays.

3  
4 Commissioner Hendrickson asked if this organization has any experience operating this type  
5 of business. Mr. Grittmann stated he does not know.

6  
7 Chair Socha asked if the applicant was online. Assistant to the City Manager Miller stated the  
8 applicant is online.

9  
10 The Applicant Heaylan Omer was available on Zoom for any Commissioner questions but had  
11 no comment.

12  
13 Mr. Grittmann noted an email was received from a resident asking some questions about the  
14 operation of the business, the activity and how they would use the space. They had done some  
15 research about the name to be used Second Home and found a use in another state under the  
16 same name. The emailer did not show being opposed to the use or in favor of the use.

17  
18 Chair Socha closed the public hearing at 7:19 p.m.

19  
20 Commissioner Morita asked if he could ask the applicant a question. He asked the applicant if  
21 she has any experience running a facility like this. The applicant responded she did not have  
22 experience running an adult day care facility. She does not have another facility in another  
23 state.

24  
25 Chair Socha stated it is always nice when an experienced person is starting a business but that  
26 goes to the commercial feasibility. That is not the decision of the Commission. The role is to  
27 determine if the CUP is acceptable under the City Code.

28  
29 Motion by Commissioner Morita, seconded by Commissioner Erickson, to recommend the  
30 City Council approve the Conditional Use Permit for 2933 Pentagon Drive with three  
31 conditions.

32  
33 **Motion carried 6-0.**

34  
35 Mr. Grittmann noted this item will come before the City Council at their March 28, 2023  
36 Meeting.

37  
38 **IV. STAFF REPORTS.**

39  
40 Mr. Grittmann noted the Commission acted on a request for a CUP for a catering facility and  
41 that CUP was approved by the City Council.

42  
43 Last month, goal setting was discussed at the Planning Commission Meeting. A new pyramid  
44 was created and is available on the City's website. Mr. Grittmann encouraged the Commission  
45 to review it.

