

MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
August 7, 2024

MEETING CALLED TO ORDER BY CHAIR FELTON AT 7:00 P.M.

Present: Geoff Fournier
Tim Felton
Tyler Fehrman
James Hart
Andrew Hoffman
Ruth Krueger
Michael Healy, Planning Manager

Absent: Brianne Miller

- 1) APPROVAL OF AGENDA - Motion to approve as presented– Hart/Fournier (6-0).
 - 2) APPROVAL OF MINUTES –June 5, 2024 –Motion to approve as presented– Hoffman/Fournier (6-0).
 - 3) NEW BUSINESS
- None.
- 4) PUBLIC HEARINGS

A. Conditional Use Permit for On-Sale Liquor at 111 Concord Exchange South

Mr. Healy presented the staff report. The Applicant is TL Networks LLC. The Applicant operates a restaurant and grocery store called “Mexatalan” in the old VFW building. The Applicant would like to reopen the banquet hall in the lower level of the building and is seeking a conditional use permit for on-sale liquor so they can obtain a liquor license. The building was purchased by the Applicant in 2019. The Applicant is actively using most of the building, minus the banquet hall space. The Applicant would like to rent out this space for private events. Earlier this year, the City Council approved a “consumption and display” permit for the space where individual guests would bring their own alcohol to enjoy at events. The Applicant reanalyzed their business plan and feel that they would be more successful if they can sell alcohol to consumers instead of relying on customers to bring their own alcohol. The Applicant would like to be able to serve beer, wine, and spirits to individuals that rent out the event space. Alcohol was previously sold at the site when it was operated by the VFW but there is no Conditional Use Permit for on-sale liquor associated with the property as the VFW was “grandfathered” to sell alcohol without one. “Grandfather” rights expire within one year if those rights are not used. The buildings “grandfathered” rights to sell alcohol without a Conditional Use Permit expired in 2020. Staff recommend approval of the Conditional Use Permit for On-Sale Liquor subject to the conditions listed in the staff report.

Chair Felton commented that one of his questions was whether the subject property’s 4 separate tax parcels would need to be combined as a condition of approval for the project but noted that Mr. Healy addressed this as

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part of his presentation. Chair Felton asked about the hours for the sale of liquor at the site and how late other businesses in the area were allowed to sell alcohol. Mr. Healy explained that they could add hours related to the sale of liquor in the conditional use permit but that there would need to be a rational nexus on why the condition is being added. Stockyard's Tavern and Chop House is eligible to serve alcohol until 1:00 AM through their liquor license, but the business chooses not to stay open that late. The only place in town that currently has a 2:00 AM liquor license is Bugg's Bar. A business is eligible for a 2:00 AM liquor license if they apply for an additional permit through the State and pay an additional fee. Chair Felton asked who reviews the permits that would allow a business to serve alcohol until 2:00 AM. Mr. Healy explained that the City Council reviews these permits after a background check is conducted by the Police Department and the hours are approved by the State. Mr. Healy reiterated that the Planning Commission's role is generally not to set hours for alcohol sales, unless there is a Planning and Zoning concern related to the proximity of the business to adjacent land uses.

Luna Ramirez on behalf of TL Networks LLC, came forward to speak to the Application.

Chair Felton asked the Applicant if there was any additional information she wanted to add. Ms. Ramirez shared that she wanted to emphasize the importance of reopening the VFW banquet hall to the community. Ms. Ramirez spoke about members of the public coming in and sharing their memories of the space and requesting the business reopen the banquet hall.

Chair Felton asked the Applicant if they had read the conditions of approval and if they had any concerns about meeting them. Ms. Ramirez stated that they were aware of the conditions and did not have any concerns about them as they had been working closely with staff throughout the process.

Commissioner Fehrman shared with the Applicant the memories that his wife had when the building was the VFW and shared that he was glad to see the space reopening for events. Ms. Ramirez thanked the Commissioner for sharing.

Chair Felton opened the public hearing.

No correspondence had been received prior to the meeting and no one was present to speak on the Application.

Chair Felton closed the public hearing.

Motion to recommend approval of a Conditional Use Permit for On-Sale Liquor at 111 Concord Exchange South, subject to the conditions listed in the staff report – Fehrman/ Hoffman (6-0)

Chair Felton asked staff to clarify what day the Conditional Use Permit would be reviewed by the City Council. Mr. Healy stated that the request would be reviewed by the City Council on August 19th.

5) OTHER BUSINESS

None.

6) STAFF UPDATES

Mr. Healy stated he had included a Planner's Update in the packet to provide some more formal information about several topics of interest. Mr. Healy first noted that the sign ordinance that the Planning Commission reviewed at their previous meeting was approved by the City Council at their August 5th meeting. The draft

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Parks Master Plan was recently released for comment. The plan includes 80 pages that summarize the community engagement work that was done for the project. The comment period would be open for a month if residents want to provide additional feedback on the plan. The Parks Master Plan will be brought to the Planning Commission, the Parks Advisory Commission, and the City Council in September for approval. Mr. Healy shared a photo of where on the City's website members of the public can go to review the plan and provide feedback on it. Finally, the City Council recently approved a contract with a consultant to study and update the zoning for the south Concord corridor. The project is intended to help the City better align the zoning with what the comprehensive plan calls for the corridor to be. The City will be working with the same consultant that helped study and update the zoning rules for the North Concord corridor three years ago.

7) ADJOURNMENT

Motion to adjourn- Hoffman/Fehrman (6-0).