

CRYSTAL PLANNING COMMISSION DETAILED AGENDA

Monday, February 9, 2015 at 7:00 p.m.

Council Chambers, Crystal City Hall

*Commissioners, please call 763.531.1142 or
email john.sutter@crystalmn.gov if unable to attend*

** Items for which supporting materials are included in the meeting packet*

A. CALL TO ORDER

The regular meeting of the Crystal Planning Commission convened at _____ p.m. with the following members present:

<input type="checkbox"/> Commissioner (Ward 1) Sears [2014 Vice Chair]	<input type="checkbox"/> Commissioner (Ward 2) [vacant]	<input type="checkbox"/> Commissioner (Ward 4) [vacant]
<input type="checkbox"/> Commissioner (Ward 1) Heigel	<input type="checkbox"/> Commissioner (Ward 3) VonRueden [2014 Chair]	<input type="checkbox"/> Commissioner (Ward 4) Johnson
<input type="checkbox"/> Commissioner (Ward 2) Erickson	<input type="checkbox"/> Commissioner (Ward 3) Buck [2014 Secretary]	<input type="checkbox"/> Commissioner (At-Large) Strand

B. INTRODUCTIONS

- New City Council Liaison Jeff Kolb

C. ANNUAL ORGANIZATIONAL MEETING – ELECTION OF OFFICERS *

- Chairperson
- Vice-Chairperson
- Secretary

D. APPROVAL OF MINUTES *

Moved by _____ and seconded by _____ to approve the minutes of the December 8, 2014 regular meeting with the following exceptions:

Motion carried.

E. PUBLIC HEARING

1. Consider Application 2015-1 to amend the Zoning Ordinance to add Impound Lots as a Conditional Use in the I-1 District *

Staff presented the following:

The following were heard:

Planning Commission discussion:

Moved by _____ and seconded by _____ to
(recommend approval) (recommend denial) (continue consideration) of
Application 2015-1 to amend the Zoning Ordinance to add Impound Lots as a
Conditional Use in the I-1 District.

Motion carried.

F. GENERAL INFORMATION

1. City Council actions on previous Planning Commission items:
 - December 16, 2014: Approved a rear setback variance for 4717 Florida
 - January 6, 2015: Approved shifting the rear lot line between 4939 Vera Cruz and 4938 Welcome
2. Staff preview of likely agenda items for Monday, March 9, 2015 meeting
3. Quarterly Development Status Report *

G. OPEN FORUM

H. ADJOURNMENT

Moved by _____ and seconded by _____ to adjourn.

Motion carried.

The meeting adjourned at _____ p.m.

MEMORANDUM

DATE: February 3, 2015

TO: Planning Commission (February 9 meeting)

FROM: John Sutter, City Planner/Assistant Community Development Director 

SUBJECT: Annual Organizational Meeting to Elect Officers

The Planning Commission has three officer positions, elected by the members of the commission:

- Chairperson. Currently Dick VonRueden (since January 14, 2013).
- Vice Chairperson. Currently Joe Sears (January 14, 2013).
- Secretary. Currently Tim Buck (since January 14, 2013).

The duties of each officer position are described in the attached bylaws excerpt.

Please note that no officer may serve for more than two consecutive years in the same position. This means that each of the current officers above may not continue in the same office.

Planning Commission action on each office is requested using the following procedure:

- The meeting chair asks for a motion and second for any nominations for the office.
- If there is only one nomination, the commission would fill the office by voice vote.
- If there are two or more nominations, each commission member would vote for one of the nominated members using paper ballots tabulated by the recording secretary. The candidate receiving the most votes is elected to the position. In the event of a tie, a coin toss is used as a tie-breaker.

ARTICLE II. ORGANIZATION

A. Election of Officers

The officers of the Commission shall be elected by the members of the Commission at the January meeting each year. Officers shall serve for a period of one year, commencing with the first meeting of each year. The term of office for each Officer is one year, and that no Officer may serve for more than two consecutive years in the same position.

B. Officers

The officers of the Commission shall be a Chairperson and Vice Chairperson and Secretary. In addition, there shall be an official administrative secretary who need not be a member of the Commission.

C. Duties

1. The Chairperson shall preside at all meetings of the Commission, shall have such powers of the supervision and management as may pertain to the office of the Chairperson.
2. The Vice Chairperson shall preside and perform all duties of the Chairperson in the event of the Chairperson's absence, disqualification or disability.
3. The Secretary shall be responsible for administrative work necessary for the operations of the Planning Commission, unless city staff has been directed by the City Manager to assume these administrative duties. In the absence of the Secretary, a temporary Secretary may be appointed by the presiding officer to fulfill the duties of Secretary at that meeting.

The Secretary shall keep the minutes of all meetings and all records of the Commission. Minutes of the meetings shall be mailed or delivered to all Commission members and shall include the notice and the agenda for the next regular meeting. The Secretary shall notify all members of any special meeting of the Commission. Approved minutes shall be provided to the City Council in the next available meeting packet or newsbrief.

In addition to these administrative duties, in the absence of the Chairperson and Vice Chairperson, the Secretary shall preside and perform all duties of the Chairperson in the event of the Chairperson's absence, disqualification or disability.

4. It shall be the duty of each member to notify the administrative secretary if such meeting cannot be attended.

CRYSTAL PLANNING COMMISSION MINUTES

Monday, December 8, 2014 at 7:00 p.m.

Council Chambers, Crystal City Hall

A. CALL TO ORDER

The regular meeting of the Crystal Planning Commission convened at 7 p.m. with the following members present:

X Commissioner (Ward 1) Sears [Vice Chair]	X Commissioner (Ward 2) Kolb	<input type="checkbox"/> Commissioner (Ward 4) [vacant]
X Commissioner (Ward 1) Heigel	X Commissioner (Ward 3) VonRueden [Chair]	X Commissioner (Ward 4) Johnson
X Commissioner (Ward 2) Erickson	X Commissioner (Ward 3) Buck [Secretary]	X Commissioner (At- Large) Strand

Also attending were staff members John Sutter and Gail Van Krevelen and Council member Laura Libby.

B. APPROVAL OF MINUTES

Moved by Commissioner Heigel and seconded by Commissioner Buck to approve the minutes of the November 10, 2014 regular meeting with no exceptions.

Motion carried.

C. PUBLIC HEARINGS

1. Consider Application 2014-11 to shift the rear lot line between 4939 Vera Cruz Avenue North and 4938 Welcome Avenue North 45 feet east of its present location.

Staff presented the following:

Planner Sutter said that the property owner of both lots wishes to shift the lot line 45' to the east to expand the lot that they occupy. Mr. Sutter indicated that the concrete slab behind the 4939 Vera Cruz garage needs to be removed, but otherwise there are no structures involved. He also stated that the city has two conditions to approval, the removal of the concrete slab and the granting of a 10' drainage and utility easement along the current lot line.

Commissioner Buck asked whether it was allowable to move lot lines with the garage encroachment onto the property to the north. Planner Sutter said that was an agreement between the prior owners and moving the rear lot line would not affect the encroachment along the north side lot line.

The following were heard:

Dan Mruz Sr. spoke before the commission and questioned what is planned for the space being added. He also stated that he was making \$70,000 worth of improvements to his property and was concerned that the owner might move the garage to the back of the property and because of its poor condition, the effect it may have on the value of his property.

Mr. Sutter said the owner has not expressed any plans to build on the property or move the garage but has the right to do so. He again stated that the garage encroachment is a civil matter between the two owners and there were no grounds to deny the application. It doesn't create any non-conformance and doesn't preclude removal or relocation of the garage.

Kelly Mruz, 4944 Vera Cruz Ave N, was concerned that if this is approved there wouldn't be enough of the lot left when it is put up for sale. She also said the garage is very deteriorated and the property is an eyesore. She questioned why vehicles are being parked on the property when there is nobody living in the house.

Commissioner Buck asked about the agreement regarding the garage encroachment, Mr. Sutter said that neither party to the original agreement is a current property owner and again reiterated that this is a civil matter between the two owners.

Moved by Commissioner Sears and seconded by Commissioner Heigel to recommend approval of Application 2014-11 to shift the rear lot line between 4939 Vera Cruz Avenue North and 4938 Welcome Avenue North 45 feet east of its present location.

Motion carried.

2. Consider Application 2014-12 for a variance to reduce the rear setback requirement to allow an addition to a nonconforming house at 4717 Florida Avenue North.

Staff presented the following:

Planner Sutter stated this is an unusually shallow lot, only 95' deep after 30' for the street easement. The house is less than 30' from the rear lot line, and based on aerial photos the neighborhood developed around the house which was part of a farmstead with multiple buildings. The property owners would like to do significant renovation to double the size of the house and to do that, the rear setback needs to be reduced. The owners are requesting a minimum rear setback of 25' for the house and also a 14' setback for a deck that they wish to build onto the back of the house.

The following were heard:

Patty Croal spoke to the commission, stating that they want to rehab the house and make it look better and that they plan to sell the property.

Commissioner Sears said that the 25' setback was not uncommon.

Commissioner Kolb asked if this would then make what's there conforming. Mr. Sutter said that it would, the variance would be permanent and run with the land forever.

Commissioner Heigel questioned if the retaining wall would extend to the street. James Croal stated that there is an existing wall there, and they plan to excavate it further back to add on to the garage.

Commissioner Kolb asked if city staff had heard from any neighbors.

Jim Peterson of JC Peterson Homes spoke to the commission, stating that he owns 4720 Georgia Ave N. He said he demolished the existing home on his property and built a new one, and has no objections to the proposal.

Moved by Commissioner Kolb and seconded by Commissioner Buck to recommend approval of Application 2014-12 for a variance to reduce the rear setback requirement to allow an addition to a nonconforming house at 4717 Florida Avenue North.

Motion carried.

D. GENERAL INFORMATION

Commissioner VonRueden asked what happened with the U-Haul that was approved on the south end of Crystal. Mr. Sutter stated he wasn't sure, but that the owner doesn't appear to have opened yet. The CUP is still valid so he has some time.

Commissioner Kolb will be a council member beginning in January so there will be 2 openings on the commission. Commissioner VonRueden questioned whether existing commission members have to go through the interview process. Mr. Sutter said his understanding is that if there are no complaints, and the members want to continue on the commission, then no interviews are required.

1. City Council actions on November 18 regarding previous Planning Commission items:
 - Approved a conditional use permit for custom manufacturing at 5249 Douglas Drive North (Borja Dental)

- Approved a roof height variance to allow expansion of a nonconforming garage at 6602 59th Avenue North
2. Staff preview of likely agenda items for Monday, January 12, 2015 meeting
- Nothing at this time.

E. OPEN FORUM

No one spoke before the commission.

F. ADJOURNMENT

Moved by Commissioner Buck and seconded by Commissioner Heigel to adjourn.

Motion carried.

The meeting adjourned at 7:30 p.m.

MEMORANDUM

DATE: February 3, 2015

TO: Planning Commission (February 9 meeting)

FROM: John Sutter, City Planner/Assistant Community Development Director 

SUBJECT: Public Hearing: Application 2015-01 to consider a Zoning Ordinance text amendment to add impound lots as a conditional use in the I-1 District

A. BACKGROUND

North Suburban Towing ("NST") operates an impound lot at 5170 West Broadway. The zoning ordinance does not allow impound lots but NST is lawfully nonconforming which means it may remain in place but cannot expand or relocate to another site in Crystal.

The Burlington North Santa Fe and Canadian Pacific railroads are proposing a connector track through NST's current location. NST would like to relocate to another industrial location in Crystal and therefore has applied for a zoning ordinance text amendment to allow impound lots as a conditional use in the I-1 Light Industrial district. Notice of the Planning Commission's February 9 public hearing was published in the Sun Post on January 29. No comments have been received to date.

The following Exhibits are attached:

- A. Narrative submitted by NST
- B. Aerial photos showing NST's current location
- C. Proposed ordinance amendment drafted by staff
- D. Crystal zoning map showing general location of north and south industrial areas
- E. Zoning map excerpts and aerial photos showing potential locations in detail

B. STAFF COMMENTS

The purpose of the I-1 Light Industrial district is to provide for light industrial development such as warehousing and manufacturing, with office and retail allowed as limited accessory uses. The city's zoning ordinance does not have a heavy industrial district because there is no existing heavy industry in the city and the I-1 district regulations allow a wide range of uses either as permitted or conditional uses. However, impound lots are not a permitted or conditional use in Crystal, which is not unusual in a fully developed, predominantly residential suburb. For example, the adjacent cities of Brooklyn Center, Robbinsdale and Golden Valley similarly do not allow impound lots. However, New Hope and Brooklyn Park do allow them in their general industrial districts with a CUP.

The proposed ordinance is attached as Exhibit C.

Considerations for amending the ordinance:

1. There are small, isolated pockets of the city's I-1 district that have the feel of a more general industrial area. Rather than create an I-2 district, the city can accommodate a wider range of uses, such as impound lots in this case, by adding them as conditional uses with standards and requirements designed to protect the other properties in the I-1 district and the community as a whole.
2. Impound lots are an essential service for law enforcement and there is no guarantee that an impound lot would be granted a CUP to locate in New Hope or Brooklyn Park. There is the potential for increased costs to the Crystal Police Department if there is no towing company located in or close to Crystal.
3. This ordinance change is a reasonable response to the proposed taking of property by the railroad.
4. Impound lots would only be allowed in very limited locations.

Considerations against amending the ordinance:

1. Crystal's current I-1 district regulations are intended to encourage uses with a higher density of employment and property value than an impound lot. This is reasonable and appropriate in a fully developed suburb with limited industrial land and a need for a more balanced resident-to-jobs ratio.
2. New Hope and Brooklyn Park are adjacent cities with much more industrial property than Crystal. Their current ordinances already allow impound lots by CUP. Crystal does not need to change its ordinance for impound lots to be able to locate in and provide service to this part of the metro area.
3. It is unfortunate that the railroad may force NST to move and lose its nonconforming use status, but it is not the city's obligation to change its ordinance to lessen the impacts of the railroad's connector track on existing properties.
4. This ordinance change would open up Crystal to any impound lot not just NST.

C. REQUESTED ACTION

The Planning Commission is asked to make a recommendation to the City Council. The recommendation should include findings for or against the proposed ordinance. The Commission may reference the considerations in Section B - Staff Comments.

The anticipated schedule is as follows:

February 17	City Council (first reading)
March 3	City Council (second reading & adoption)
March 12	Publication of the ordinance amendment (if adopted)
April 11	Effective date per City Charter (if adopted)

If the zoning ordinance is amended, then NST anticipates submitting a CUP application for a specific site. A site-specific notice would be published and mailed at that time.

North Suburban Towing Relocation

North Suburban Towing has been notified that the Canadian Pacific Railway will be acquiring the property at 5170 West Broadway, North Suburban Towing's current location. The railroad has given no specific timeline other than this acquisition may take place any time in the next 60 days to two years.

North Suburban Towing has provided towing and police impound services for over 40 years. The following police agencies currently rely on North Suburban Towing for service at the Crystal location:

- Crystal Police Department
- Robbinsdale Police Department
- New Hope Police Department
- Golden Valley Police Department
- Brooklyn Center Police Department
- MN State Patrol
- Hennepin County Sheriff's Department

North Suburban Towing is looking to relocate within Crystal due to the current office and lot space being taken by the railroad.

A change to current city code is being requested to allow North Suburban Towing to remain in Crystal. The proposed location for this relocation is 5128 Hanson Court. The Hanson Court property is ideal for the North Suburban Towing relocation for the following reasons:

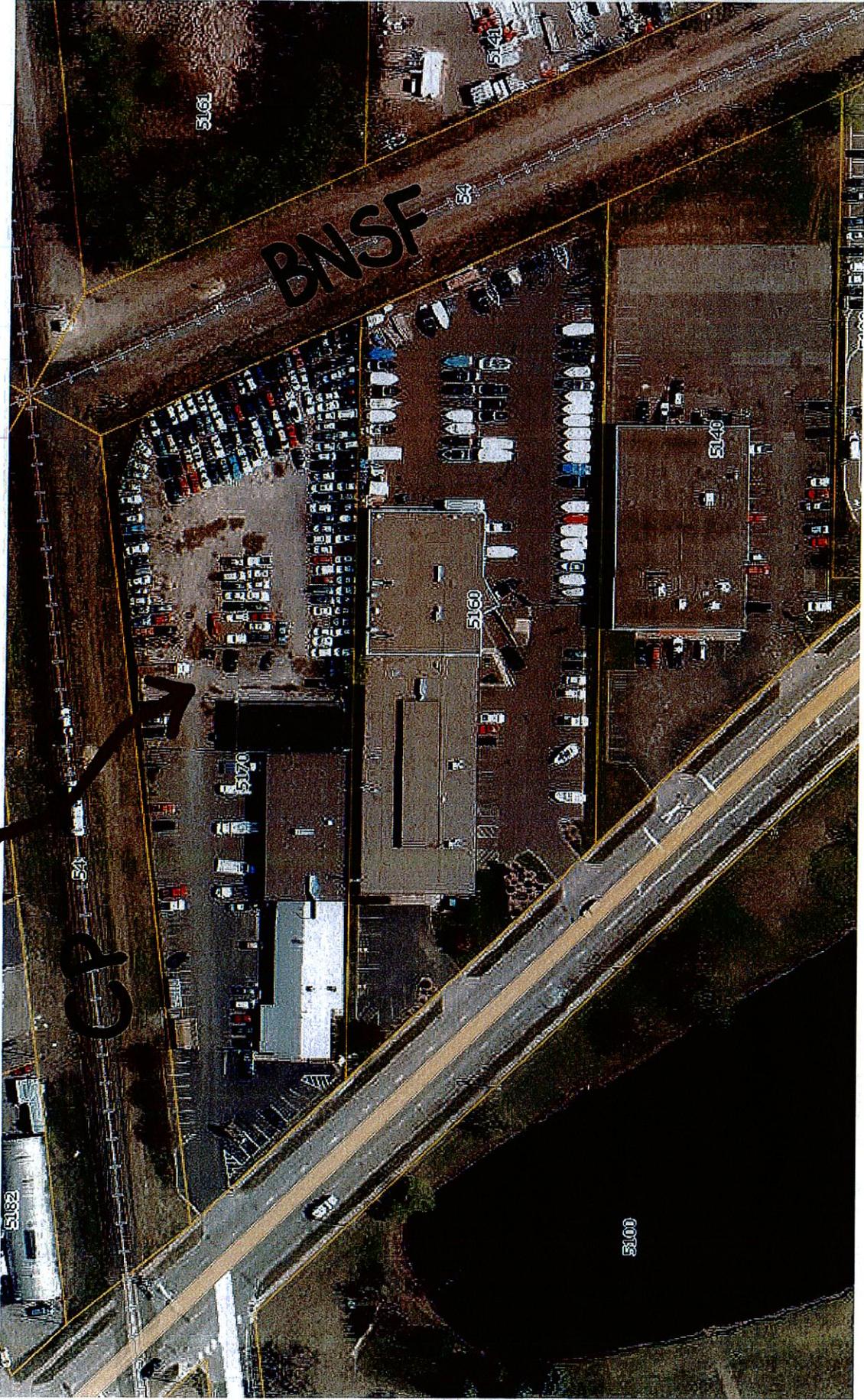
- This property has been vacant for a long time and would now be used and maintained.
- This property is not near any residential areas
- This property is not clearly visible by any major roadways within Crystal.

Additional information can be obtained by contacting Dave Oyaas at the North Suburban Towing offices, 763-535-2201

Location of Proposed Canadian Pacific Connection to Burlington Northern Santa Fe North Suburban Towing - Current Location



Business Properties to be Impacted by the Proposed Connection
North Suburban Towing - Current Location



ORDINANCE NO. 2015 - _____

AMENDING SUBSECTION 515.53 OF CRYSTAL CITY CODE
TO ADD IMPOUND LOTS AS A CONDITIONAL USE
IN THE I-1 LIGHT INDUSTRIAL DISTRICT

THE CITY OF CRYSTAL ORDAINS:

Section 1. Crystal City Code Subsection 515.53 (Zoning - I-1 Light Industrial District), Subdivision 4 (Conditional Uses), is amended by adding part m) as follows:

- m) Impound lots provided that:
- 1) This conditional use permit allows for the storage of impounded vehicles, including not only impounded motor vehicles but also impounded recreational vehicles and equipment, but not including parking or storage of vehicles or equipment for other, non-impound purposes such as seasonal storage; and
 - 2) The impound lot is located on a property that abuts the right of way of an active freight railroad; and
 - 3) The impound lot is located on a property that does not abut the right of way of any collector or arterial street or any frontage road adjacent to a collector or arterial street; and
 - 4) The impound lot is located on a property that does not abut any property zoned residential; and
 - 5) The impound lot is located on a property with an area of at least 1 acre; and
 - 6) The portion of the property occupied by the impound lot does not exceed 1 acre; and
 - 7) The portion of the property occupied by the impound lot is fully screened from adjacent property and public streets to the satisfaction of the City Council; and
 - 8) Vehicles shall only be parked on a designated hard surfaced area approved by the City Council; and
 - 9) Vehicles shall not be parked or stored on any non-hard-surfaced or landscape areas on the property, nor on any adjacent property or public right-of-way; and

- 10) The City Council determines that all applicable requirements of Subsection 515.05, Subdivision 3 a) and Section 520 are considered and satisfactorily met.

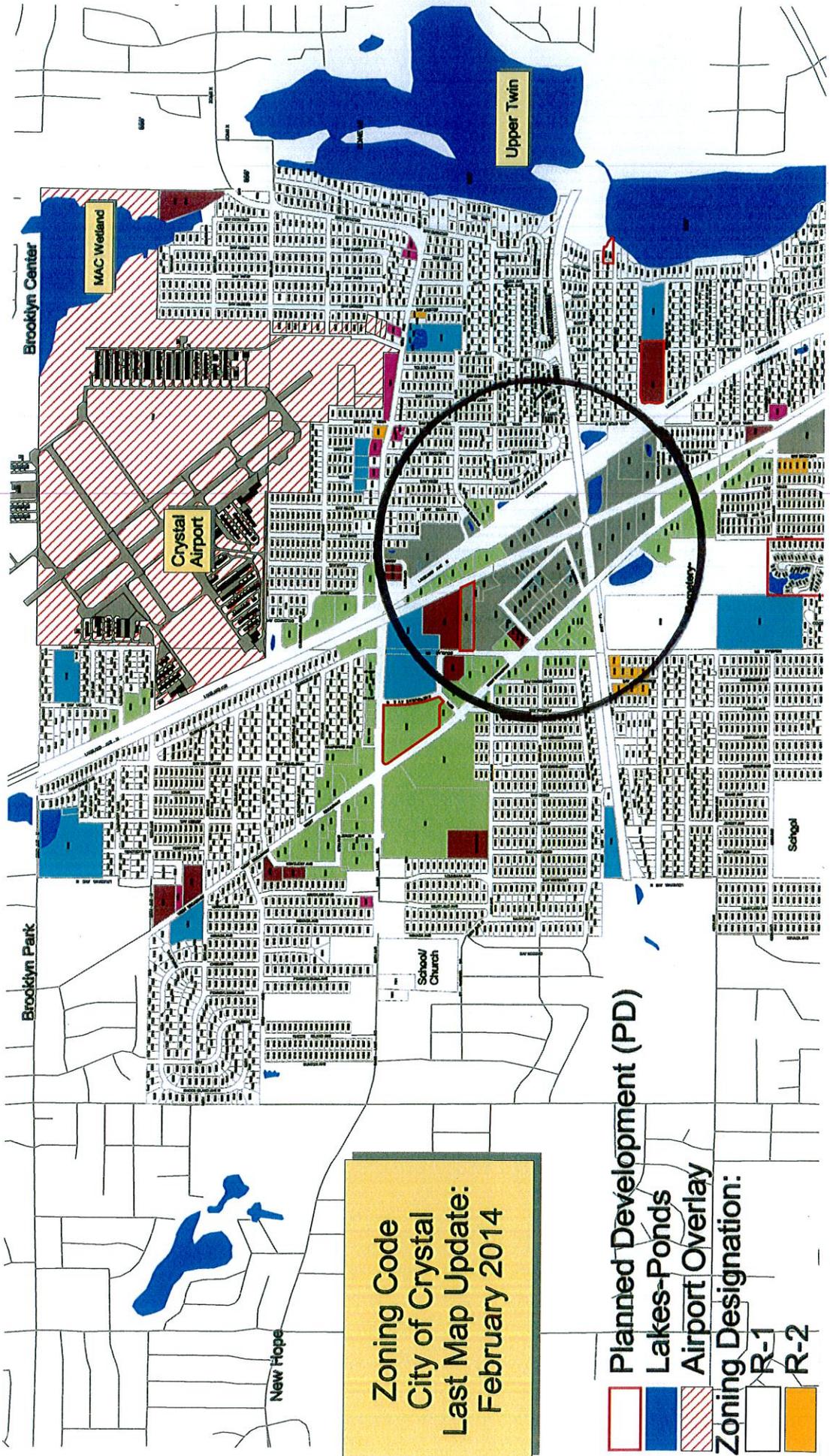
Section 2. This ordinance is effective in accordance with Crystal City Code, Subsection 110.11.

First Reading: _____
Second Reading and Adoption: _____
Publication Date: _____
Effective Date: _____

Jim Adams, Mayor

ATTEST:

Chrissy Serres, City Clerk

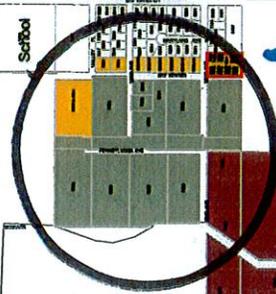
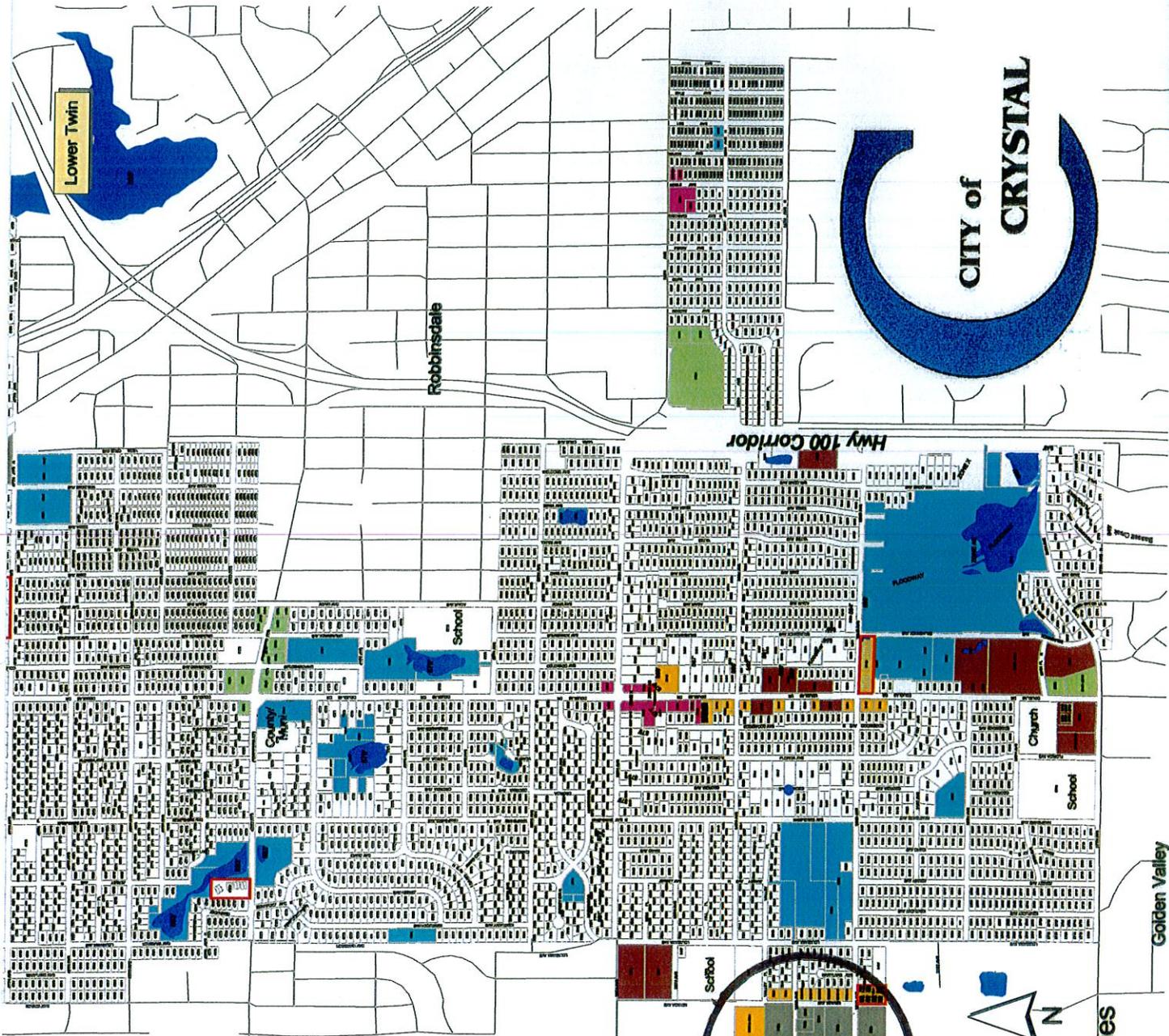


**Zoning Code
City of Crystal
Last Map Update:
February 2014**

- Planned Development (PD)
- Lakes-Ponds
- Airport Overlay
- Zoning Designation:**
- R-1
- R-2

- G-1
- C-2
- I-1
- R-3

Parks and Muni Land (R1)



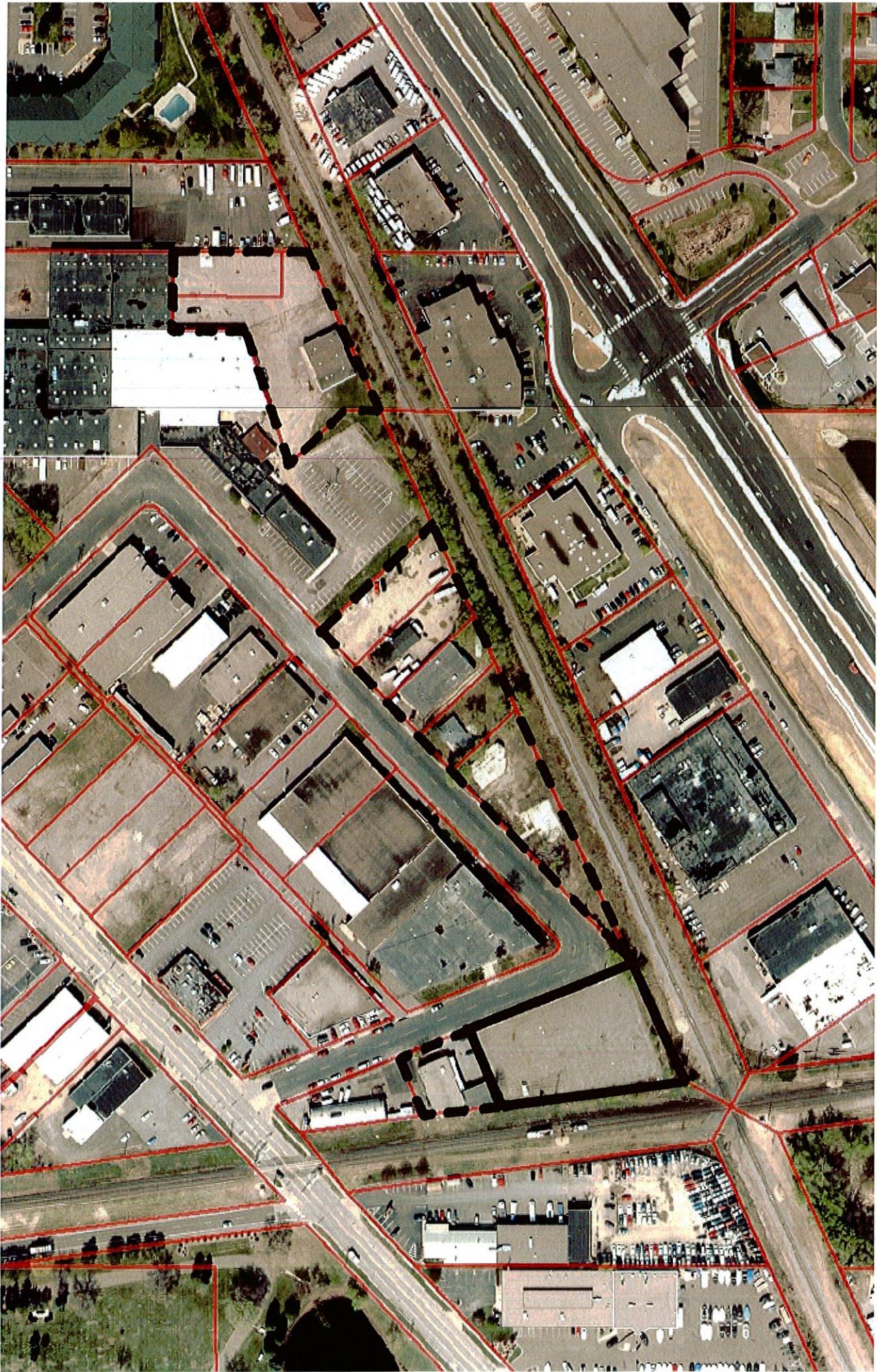
Golden Valley

North Industrial Area - potential properties for impound lots by CUP under proposed ordinance



- May meet the proposed requirements
- - - - -** May meet requirements with property assembly





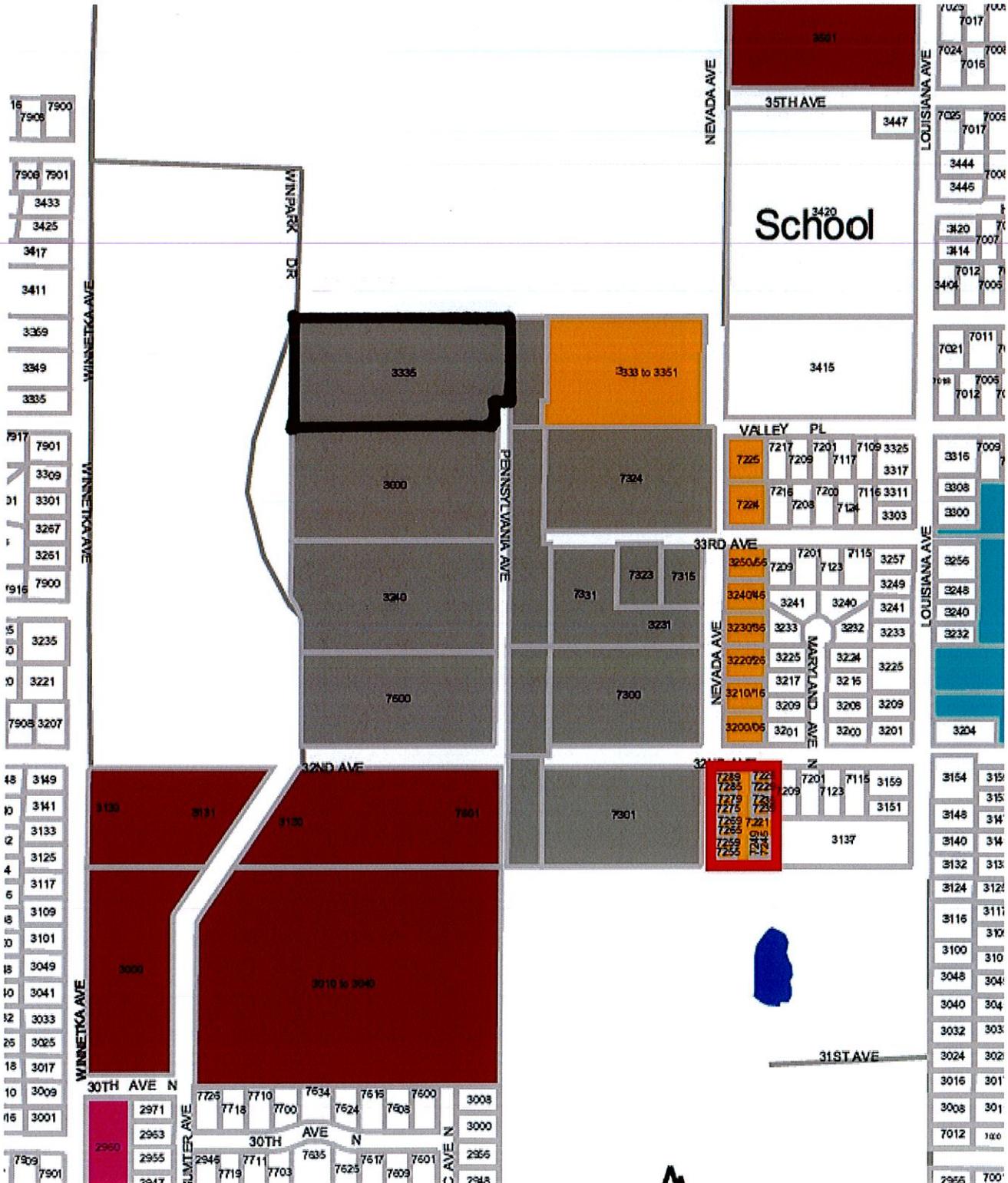
SCALE
1" : 200'

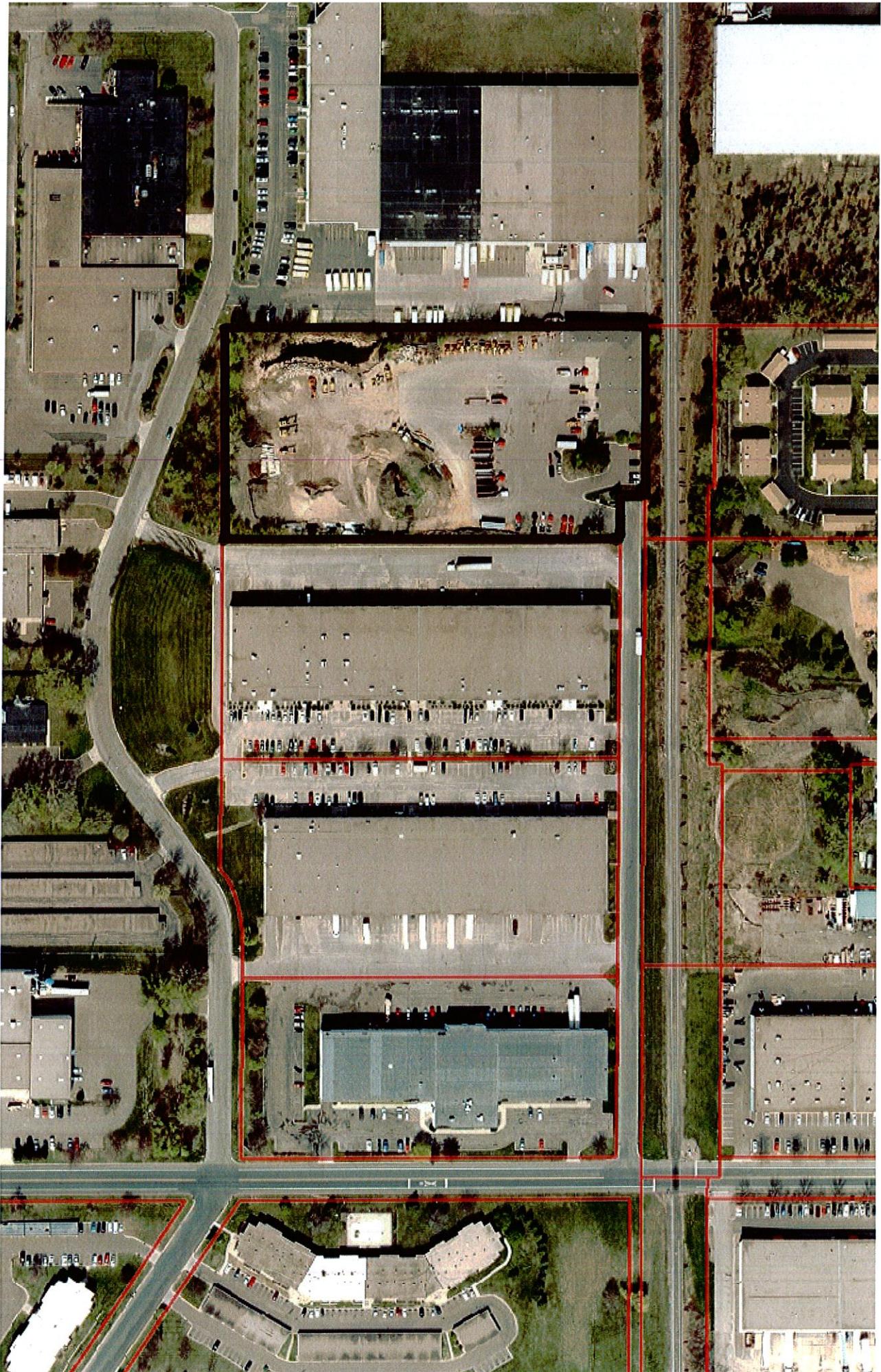
South Industrial Area - potential properties for impound lots by CUP under proposed ordinance



————— May meet the proposed requirements

- - - - - May meet requirements with property assembly





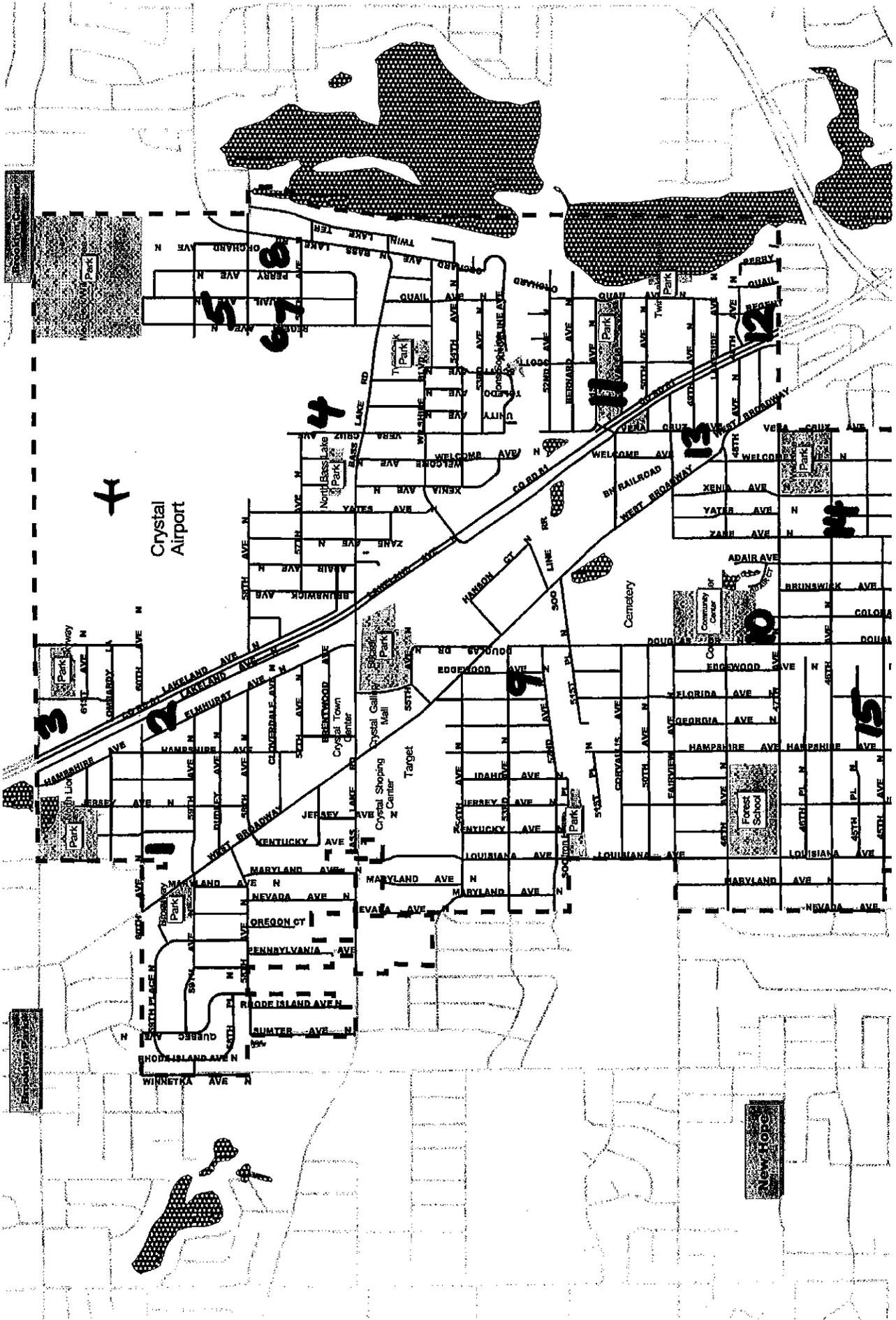
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CRYSTAL EDA
Quarterly Development Status Report
December 31, 2014

MAP #	LOCATION	DESCRIPTION
1	7041 60th Ave N Crystal MN	In December 2012 the EDA transferred this federally-funded lot to Habitat for Humanity. The new house has been completed and sold.
2	5924 Elmhurst Ave N Crystal MN	The EDA is seeking new house proposals with a lot price of \$50,000.
3	6601 62nd Ave N Crystal MN	The EDA is seeking new house proposals with a lot price of \$50,000.
4	5626 Vera Cruz Ave N Crystal MN	The EDA is seeking new house proposals with a lot price of \$50,000.
5	5824 Regent Ave N Crystal MN	The EDA sold this lot to Novak-Fleck in September 2014 for \$55,000. Construction is underway and completion is expected in spring 2015. The house is listed for sale on the MLS.
6	5715 Regent Ave N Crystal MN	The EDA is seeking new house proposals with a lot price of \$50,000.
7	5700 Regent Ave N Crystal MN	Berger Built Construction has optioned this lot until January 15, 2015 with a lot price of \$50,000.
8	5724 Perry Ave N Crystal MN	In December 2012 the EDA transferred this federally-funded lot to Twin Cities Habitat for Humanity. Construction of the new house is underway.
9	5255 Edgewood Ave N Crystal MN	The EDA is seeking new house proposals with a lot price of \$50,000.
10	4720 Douglas Dr N Crystal MN	The EDA sold this lot to Novak-Fleck in February 2014 for \$50,000. The house has been completed and sold.
11	"The Cavanagh" 5401 51st Ave N Crystal MN	In June 2014 the EDA sold this 4.3 acre site to Dominium, a private developer who is building The Cavanagh, a four story, 130 unit, senior (55+) building with rents affordable for households at 60% of Twin Cities metropolitan area median income. Construction began in July 2014 and completion is anticipated in fall 2015.
12	4724 Lakeland Ave N Crystal MN	The EDA is in the process of purchasing this vacant lot from Hennepin County. The lot will be available for new home construction later in 2015 with an anticipated lot price of \$50,000-\$55,000.
13	4901 Vera Cruz Ave N Crystal MN	The EDA is seeking new house proposals with a lot price of \$50,000.

MAP #	LOCATION	DESCRIPTION
14	4553 Yates Ave N Crystal MN	The EDA sold this lot to Berger Built Construction in December 2013 for \$40,000. Construction is not likely to begin before spring 2015.
15	6526 45th Ave N Crystal MN	The EDA acquired and demolished this vacant, foreclosed house in the 4th quarter of 2014. The lot will be available for new home construction in 2015 with an anticipated lot price of \$60,000.
16	4326 Zane Ave N Crystal MN	The EDA sold this lot to MT Builders in September 2014 for \$45,000. Construction is not likely to begin before spring 2015.
17	4349 Xenia Ave N Crystal MN	The EDA sold this lot to MT Builders in September 2014 for \$50,000. Construction is underway and completion is expected in the 1st quarter of 2015. The builder has a buyer for the house.
18	4331 Vera Cruz Ave N Crystal MN	The EDA has tentatively accepted a proposal from MT Builders with a lot price of \$50,000. Detailed house plans and an EDA public hearing are anticipated in the 1st quarter of 2015.
19	3533 Lee Ave N Crystal MN	The EDA is seeking new house proposals with a lot price of \$40,000.

For an online, mapped version, please see:
http://www.crystalmn.gov/city_departments/quarterly_development_status_report.html



Crystal Airport



NEW HOPE

5

6

4

3

2

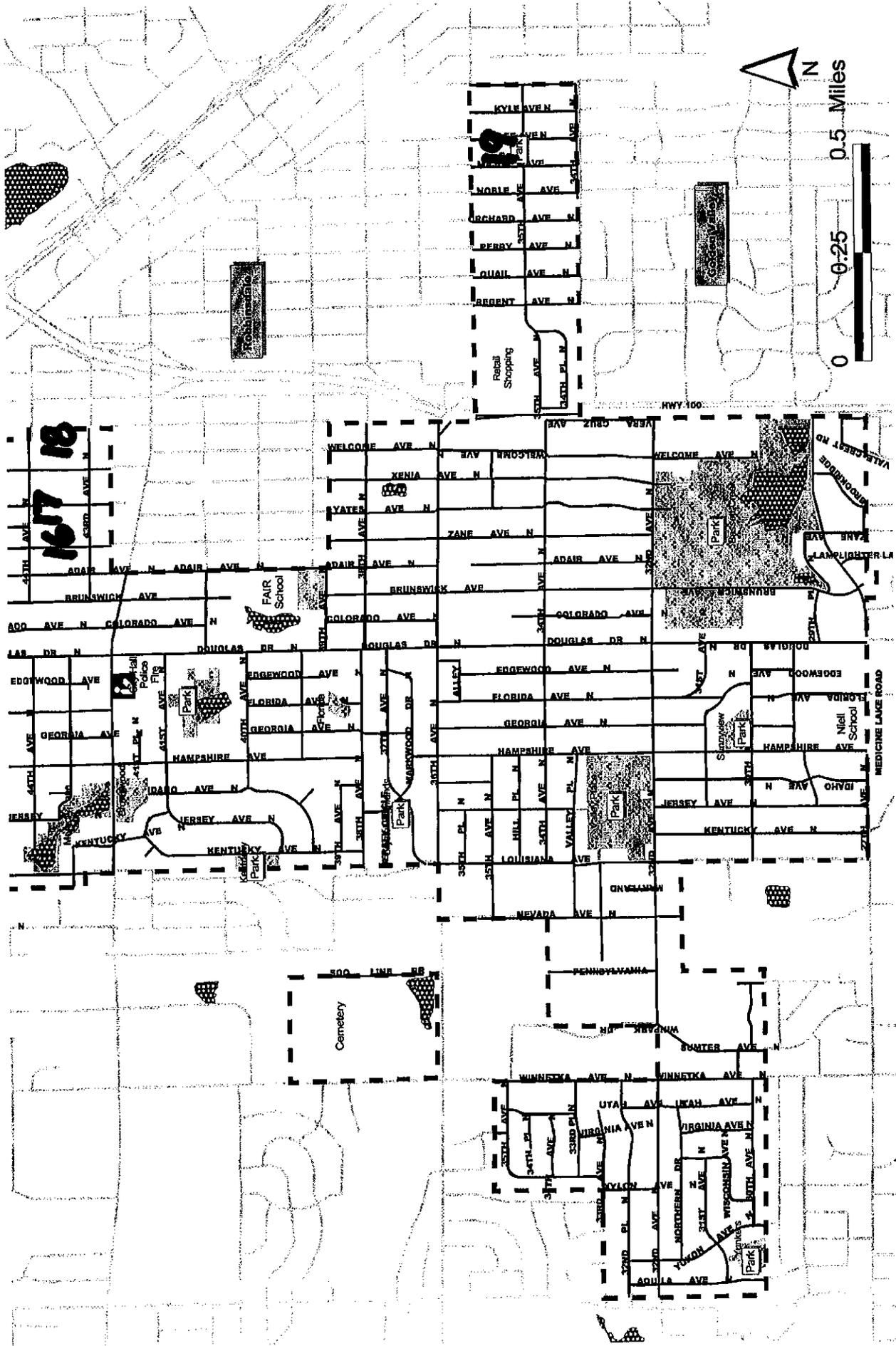
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15



0.5 Miles

0 0.25



1677 18

Cemetery

Retail Shopping

Park

Fair School

Park

Park

Park

Nell School

EDD LINE

HWY 100

VALLEY RD

LAMPLIGHTER LA

MEDICINE LAKE ROAD

UTAH AVE

NEVADA AVE

ARIZONA AVE

NEW MEXICO AVE

OKLAHOMA AVE

KANSAS AVE

MISSOURI AVE

INDIANA AVE

ILLINOIS AVE

OHIO AVE

MICHIGAN AVE

MINNESOTA AVE

WISCONSIN AVE

NEBRASKA AVE

MISSOURI AVE

ARKANSAS AVE

LOUISIANA AVE

MISSISSIPPI AVE

ALABAMA AVE

MISSISSIPPI AVE

FLORIDA AVE

MISSOURI AVE