

CRYSTAL PLANNING COMMISSION MINUTES

Monday, June 9, 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 | X Commissioner (Ward 4) Richter |
| 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 present were City Council Liaison Laura Libby, Mayor Jim Adams, and staff members John Sutter, Tom Mathisen, Anne Norris and Gail Van Krevelen.

B. APPROVAL OF MINUTES

Moved by Commissioner Sears and seconded by Commissioner Heigel to approve the minutes of the January 13, 2014 regular meeting with no exceptions.

Motion carried.

C. PUBLIC HEARINGS

1. Consider Application 2014-1 for a conditional use permit for Milton's (3545 Douglas Drive North) to stay open until 12:00 midnight instead of 10:00 p.m. Sunday-Thursday, and also to stay open until 1:00 a.m. on January 1 of each year.

Staff presented the following:

City Planner John Sutter explained that Milton's is located in the center of a multi-tenant building and is looking to expand their hours of operation. He also stated that he had received one call in opposition to the expanded hours.

The following were heard:

No one spoke before the commission.

Planning Commission discussion:

Commissioner Strand questioned whether there had been any calls to the restaurant. Mr. Sutter said there had been 2 calls in the past year, but none due to any type of disturbance.

Commissioner Kolb asked whether the kitchen would be open an additional two hours, Mr. Sutter said he wasn't sure.

Commissioner Richter asked if every business in a C-1 district is required to close by 9 pm. Mr. Sutter said yes, unless they get a CUP.

Moved by Commissioner Kolb and seconded by Commissioner Strand to recommend approval of Application 2014-1 for a conditional use permit for Milton's (3545 Douglas Drive North) to stay open until 12:00 midnight instead of 10:00 p.m. Sunday-Thursday, and also to stay open until 1:00 a.m. on January 1 of each year.

Motion carried.

2. Consider Application 2014-2 for a conditional use permit for MD Liquors (7200 56th Avenue North) to stay open until 10:00 instead of 9:00 p.m.

Staff presented the following:

City Planner John Sutter stated that this was the same business that received a CUP last year for an 8 foot high fence. At that time they were aware of the 9 p.m. closing time, however, state law allows for a 10 p.m. closing which the property owner is now requesting.

Mr. Sutter also mentioned that no neighbor comments have been received, the adjacent residences are screened by the fence, the property is located in an area with a mix of uses and staff could see no reason to deny the request.

The following were heard:

No one spoke before the commission.

Planning Commission discussion:

Commissioner Kolb questioned whether this was the same property that previously requested a sign. Mr. Sutter said yes, but that was for a citywide ordinance change and not specific to the property.

Commissioner Erickson asked what the closing time was for other liquor stores in the area. Mr. Sutter explained that it varied and that 4 of the city's off-sales are in the C-1 district.

Moved by Commissioner Kolb and seconded by Commissioner Sears to recommend approval of Application 2014-2 for a conditional use permit for MD Liquors (7200 56th Avenue North) to stay open until 10:00 instead of 9:00 p.m.

Motion carried.

3. Consider Application 2014-3 for a variance for a monument sign at St. Raphael's (7301 56th Avenue North) to have a height of 10 feet 6 inches instead of 6 feet.

Staff presented the following:

Mr. Sutter stated that this property is zoned R-1 but this is a mixed-use area on a busy road. He also mentioned this sign is relatively small considering the other signs in the area.

The following were heard:

Ginny Metzger, the administrator for the church, said she was available for questions.

Planning Commission discussion:

Commissioner VonRueden questioned if the property owner was replacing the sign and Mr. Sutter said no, this is a new sign, but there is another sign located elsewhere on a different parcel of the property, and that sign will remain.

Moved by Commissioner Heigel and seconded by Commissioner Buck to recommend approval of Application 2014-3 for a variance for a monument sign at St. Raphael's (7301 56th Avenue North) to have a height of 10 feet 6 inches instead of 6 feet and subject to the findings of fact.

Motion carried.

4. Consider Application 2014-4 for site and building plan review, conditional use permits, variances and street vacations for a new public works facility at 5001 West Broadway.

Staff presented the following:

City Planner John Sutter presented the staff report to the commission. He stated that most of the current public works site is in a flood plain has numerous safety and health issues, and this was the best site for a new facility that the city could acquire. Pre-demolition preparation has begun and there is a 62,000 square foot building being proposed for the site.

He also said there will be a new curb cut by the old law office across from Corvallis which will mainly be used by the larger vehicles and deliveries of large quantities of materials, a smaller one in the middle of the site across from Doyle's

building for visitors and employees, and a third one at the south end of the site for city vehicles entering and leaving the building.

In addition to the main building, there would also be covered bins for storage and a cold storage building for things such as barricades and barrels. Currently the city purchases gas from the school district bus garage but because of uncertainty with the school district and operational inefficiency due to the location, the city is considering a fueling station for city use but this would not be open to the public.

Mr. Sutter went over the zoning actions needed, approval of the site and building plans, approval of CUP, approval of a variances to allow building to be within 10 feet of property line along West Broadway. He pointed out that the 10 feet would be from the overhang, not the foundation wall, the base of the building would be approximately 14' from West Broadway. They are also considering putting the utilities underground which would require a 10' utility easement.

The city is also requesting a variance for hard surface coverage of 80% rather than 75%, but plan to install a stormwater pond that will provide 100% treatment of surface runoff. There are also easements and a right-of-way that will be vacated.

The following were heard:

Bonnie Kline, 4833 Yates Ave N, spoke to the commission about her concerns regarding possible dangers to the young children in the area and that the building would turn out looking like an industrial building like the community center. She said that the community center looks gorgeous on three sides, except for the back of it which is totally blank with no landscaping softening it. She would like the entire south side of this site to have trees and bushes.

Ed Kodet, architect for the project, said there would be fencing along the west and east end of the site's south side and landscaping all along that side. The building would be using materials to make it more residential in character, and there would be a series of windows breaking up the wall. The vegetation will consist of a variety of low, medium and high landscaping.

Becky Courteau, 4855 Yates Ave N, requested that the city plant more mature trees rather than tiny ones, and she was also concerned about the lights from the parking lot and from within the building shining on neighboring properties. She also felt that this project would stagnate or lower her property values.

Commissioner Kolb asked if there was any reason why additional trees couldn't be placed along the south side of the site.

Ed Kodet said that additional trees can be placed there and they would look into increasing the caliper of the trees. He also stated the parking lot will have a minimal amount of light at the property line and most of the time there will not be any lights on in the vehicle area.

Bonnie Kline questioned whether the trucks entering the site would be using the residential streets and was told that vehicles would primarily be using West Broadway and 51st Place for access.

Jay Larson, Washburn-McReavy, 5100 Douglas Dr N/5125 West Broadway, stated that he was impressed with the plans for the screening between the two properties but concerned that people who visit the cemetery would be disturbed by the noise. He also indicated they were not notified of the work going on and expressed concern about the noise from trucks backing up and how it may impact activities on their property. He also said that people viewing the holding pond may assume it's theirs since it won't be fenced.

City Engineer Tom Mathisen addressed the commission and said that there really weren't any other sites available without having to buy out businesses and lose that tax base and have to relocate them. The city was able to acquire free class five from a school torn down in New Hope and had to stockpile that and currently are in one of the noisier phases of demolition due to reclaiming the asphalt. However, once construction is completed, there really isn't a lot of backing up on a public works site, and will work with the cemetery to try to schedule any major activity around any large events they may have if possible.

Mr. Mathisen and Mr. Sutter both addressed the trees on the south side of the site, stating that the city will try to save as many as possible until the new, higher quality trees gain sufficient size.

Planning Commission discussion:

Commissioner Sears asked whether the salt shed would be on this site and Mr. Sutter said that the site is not large enough, the utilities building and salt storage shed will remain on the current site, at least for the time being. The streets building and pole barn will be demolished.

Commissioner Kolb questioned if this was how things usually went, he felt it was backward since the city had a few million dollars invested in this project already. He also stated his objection because he felt at this point the council would not reverse themselves and that this was just a formality and would go through regardless what the planning commission said.

Mr. Sutter said that the plans have not been finalized, construction bidding hasn't happened yet, but the acquisition of the property and demolition of the site has been approved by city council. It is unusual for the city to be both the applicant and regulator, but that is necessary because the city needs to find a place for these operations and no other entity has local land use authority. The City Council has not approved building and site plans but the Planning Commission review process is the same as it would be for any private development.

Commissioner VonRueden asked about landscaping and fencing. Mr. Sutter said there would be 8' opaque fencing or a wall along the south side of yard areas, and the area between the property line and the fencing would be

landscaped. There would also be a 6' high chain-link fence abutting the cemetery property and a decorative fence along West Broadway.

Commissioner Richter asked for clarification as to whether the CUP and variances were what the planning commission was being asked to approve. He wanted it noted he has a problem with the project but would say yes to the variances. Mr. Sutter said the commission is also asked to approve the site and building plans.

Commissioner Sears suggested that the trees that are planted be ones that will grow in the soil we have. The architect stated that the soil had been tested and he has been working with the city forester.

Moved by Commissioner Strand and seconded by Commissioner Heigel to recommend approval of Application 2014-4 for site and building plan review, conditional use permits, variances and street vacations for a new public works facility at 5001 West Broadway with enhanced landscaping on south side of site along Fairview Avenue.

Motion carried 7 – 2 with Sears, Heigel, Erickson, VonRueden, Buck, Johnson and Strand voting aye and Kolb and Richter voting nay.

D. GENERAL INFORMATION

1. City Council actions on previous Planning Commission items:
 - January 21, 2014: Denied Application 2013-16(b) for a garage setback variance at 4952 Quail Avenue North, but approved an alternate variance as recommended by the Planning Commission
2. Staff preview of likely agenda items for Monday, July 14, 2014 meeting
3. Status and next steps for the Bottineau LRT project, and city comment letter responding to the Draft Environmental Impact statement.

Commissioner VonRueden asked for an update on The Cavanagh. Mr. Sutter said that the city has closed on the sale of the land to the developer and construction is scheduled to begin by July 1.

He also questioned surveying he saw on Gaulke property on east side of 3900 block of Douglas Dr. Mr. Sutter said the city is anticipating an application for some type of development, probably by replatting the property for 13-14 single family homes but no applications have been received at this time.

Commissioner VonRueden also questioned why on a couple new homes that were built on Lakeland at 50th and Corvallis, why the living side of the houses were closer to 81 than the garages. Mr. Sutter stated that the city did offer suggestions but these were pre-sold, custom-built homes laid out the way the

homebuyers wanted them, and when the windows are closed they are surprisingly quiet inside, and having the living areas on the 81 side means the bedrooms are further from 81.

Regarding the city's comments on the Draft Environmental Impact statement for Bottineau LRT, Mr. Sutter said that staff had concerns with noise and vibration from the light rail; those may be able to be mitigated. He also indicated Metro Transit may locate a project office in Crystal; staff has given them leads on office space locations.

Commissioner Richter asked what the timeline was for councils have to approve the light rail; Mr. Sutter said that the point of municipal consent is a couple years away.

E. OPEN FORUM

No one spoke before the commission.

F. ADJOURNMENT

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

Motion carried.

The meeting adjourned at 8:35 p.m.