

COON RAPIDS PLANNING COMMISSION MEETING OF JULY 15, 2010

The regular agenda meeting of the Coon Rapids Planning Commission was called to order by Chairman Naeve at 6:30 p.m.

Members Present: Chairman Naeve, Commissioners Jenny Geisler, Denise Hosch, Margaret Murphy, Theo Peterson and Julia Stevens.

Members Absent: None.

Staff Present: Community Development Director Marc Nevinski; Planner Scott Harlicker; and, Assistant City Attorney Doug Johnson.

1. PLEDGE OF ALLEGIANCE

2. ADOPTION OF THE AGENDA

MOTION BY COMMISSIONER HOSCH, SECONDED BY COMMISSIONER STEVENS, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

3. APPROVAL OF THE JUNE 17, 2010 REGULAR MINUTES

Commissioner Murphy requested a correction on Page 6, paragraph 6, to indicate: "...to create a great..."

MOTION BY COMMISSIONER MURPHY, SECONDED BY COMMISSIONER GEISLER, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF JUNE 17, 2010, AS CORRECTED. THE MOTION PASSED (NAEVE AND STEVENS ABSTAINED).

4. ZONE CHANGE

4A. PLANNING CASE 10-13 – ZONE CHANGE FROM INDUSTRIAL TO OFFICE – COON RAPIDS BOULEVARD EXTENSION AND VALE STREET – PUBLIC HEARING CONTINUED

It was noted the city is requesting approval of a zone change from Industrial to Office in response to the 2030 Comprehensive Plan updates. The parcel is 11 acres in size and was mostly undeveloped.

Chairman Naeve explained the public hearing was continued from the last month's meeting.

John F. White, of Dot Storage at 9900 Vale Street, presented the Commission with a handout and explained his business took up 6.7 acres of the 11 acres on the proposed zone change parcel. He strongly opposed the rezoning of the property from Industrial to Office. He didn't feel that the property/business owners were allowed to make comment on the proposed zone changes.

Mr. White reviewed the location of his business within the 11 acre parcel stating he was hoping to expand in the future, which would not be allowed with the proposed zone change. With the

proposed zone change, his business would become a non-conforming use and would not be allowed to expand on the three acres he has been paying property taxes on for the past 12 years. Mr. White reviewed letters he received from staff in the past assuring him he could expand onto the three acres in the future. He indicated the economy was in a weakened state and he did not want to the City to further jeopardize the vitality of his business. Mr. White requested the Commission consider denial of the zone change as there was not a demand of office space at this time.

Charlie Pfeiffer, Pfeiffer Company, 7200 Hemlock Lane in Maple Grove, presented the Commission with a handout and thanked the Commission for allowing him to speak this evening. Mr. Pfeiffer indicated the proposed zone change should be denied as the City had not gained enough information from the property owners.

Chairman Naeve questioned if the City sent public hearing notices to the property owners.

Community Development Director Nevinski explained the City was not required by State Statute to send the property owners notice of the public hearings. However, the Comprehensive Plan land use changes were well publicized and the same process was held by each municipality in the metro area.

Mr. Pfeiffer reviewed further objections he had to the rezoning. He explained the adjacent railroad was used frequently by Burlington Northern and would be quite a distraction to the parcel if it became office space. He felt the described office uses were inappropriate for the site. Mr. Pfeiffer indicated the proposed rezoning would not match the property location, the adjacent properties and would make it increasingly difficult to develop.

Sharon Schmidt, owner of an adjacent parcel, stated she has tried to sell her land to offices or industrial uses and FHA would not give financing due to the close proximity of the railroad. She explained the proposed rezoning would not be fair to the current property owners that have invested in their sites or to new potential developers. Ms. Schmidt requested the Commission deny the proposed rezoning.

Chairman Naeve closed the public hearing at 7:02 p.m., as no one else wished to address the Planning Commission.

Chairman Naeve asked for clarification on the current industrial zoning of Dot Storage.

Planner Harlicker stated this was a permitted use within the industrial zoning district and outdoor storage was a conditional use.

Commissioner Geisler stated the Commission reviewed each parcel in the City when reviewing the Comprehensive Plan. The Comprehensive Plan guides where development should go in the future and this parcel was proposed to be a buffer to the adjacent multi-family by becoming office. This was approved by the Council last September following numerous public hearings and open houses. She felt the rezoning was a housekeeping issue and felt the current uses could continue as is.

Commissioner Murphy agreed with these comments stating the Commission was looking to the future for this parcel and how it should redevelop.

Chairman Naeve explained the Commission did not review the market needs of the City. She commented that Office was the appropriate land use for this site due to the location and uniqueness of this parcel. She requested further information from staff on non-conforming uses.

City Attorney Johnson explained non-conforming uses are allowed to continue operation in the City with repairs allowed, but expansion of the use was not allowed. The businesses could continue to operate as long as the property was maintained and in compliance with applicable building codes.

Commissioner Peterson asked if expansion could be approved for these businesses.

City Attorney Johnson stated expansion could only be completed on non-conforming residential homes. He indicated the law was in a constant state of flux for non-conforming uses.

Chairman Naeve questioned if the parcel could be split in half to allow the mini-storage to remain while the rest of the parcels would be rezoned to Office.

Planner Harlicker indicated the existing use would be allowed to continue under the current zoning code. Commercial self storage is allowed as a conditional use if it can be screened from view from Coon Rapids Boulevard. He indicated this was a visible parcel of land when entering the City of Coon Rapids and redevelopment would enhance this site.

Commissioner Peterson commented it would benefit the property owners and the City to split the parcel and rezone only a portion to allow the current storage use to continue. He indicated Phase II shows Dot Storage would be completing a great deal of indoor storage.

Commissioner Hosch was not in favor of splitting the parcel or expanding the current use.

Commissioner Geisler stated the splitting of the site would create an island of industrial and would make the site less valuable. She indicated she would not support the rezoning split.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER HOSCH, TO APPROVE PLANNING CASE 10-13, THE PROPOSED ZONE CHANGE FROM INDUSTRIAL TO OFFICE BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED REZONING TO OFFICE IS CONSISTENT WITH THE LAND USE DESIGNATION OF OFFICE.
2. THE PROPOSED REZONING IS COMPATIBLE WITH THE ADJACENT LAND USE DESIGNATIONS AND LAND USES.
3. THE PROPOSED REZONING TO OFFICE WOULD NOT HAVE AN ADVERSE IMPACT ON THE ADJACENT PROPERTIES.

THE MOTION PASSED (PETERSON AND STEVENS OPPOSED).

This is a recommendation to the City Council that will be considered at the August 4, 2010 City Council meeting.

5. SITE PLAN APPROVAL

5A. PLANNING CASE 10-16 – LYLE CLEMENSON – CONVERSION AND EXPANSION OF HOME INTO AN OFFICE BUILDING AND CONSTRUCTION OF AN ACCESSORY BUILDING – 311 NORTHDALÉ BOULEVARD – PUBLIC HEARING

It was noted the applicant is requesting site plan approval to for an 880 square foot addition to an existing building to convert the building into an office. Staff reviewed changes with the Commission since the staff report was drafted. The City street easement cannot be vacated, but could be changed to an access and utility easement. This would eliminate the 35 foot setback requirement from the easement. The applicant would like feedback from the Commission this evening and would then like the item postponed to the August meeting allowing them time for modifications.

Chairman Naevé opened the public hearing at 7:34 p.m.

Lyle Clemenson, the applicant reviewed the current plans for the site with the Commission.

Chairman Naevé questioned if the location would have any manufacturing or assembly taking place at this site.

Mr. Clemenson explained the site would not have any manufacturing or assembly as this would be entirely office space.

Chairman Naevé closed the public hearing at 7:35 p.m.

Commissioner Murphy indicated she was in favor of the site conversion.

Commissioner Geisler agreed and encouraged the applicant to work with the City and County to vacate the easement. She requested the applicant seek green alternatives when expanding the site.

Commissioner Stevens stated it was nice to see a new business coming to Coon Rapids.

Chairman Naevé requested shrubs be used to screen the foundation. She requested the applicant provide full details for the accessory building.

Mr. Clemenson stated he would be working with the site to save as many trees as possible.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER MURPHY, TO POSTPONE PLANNING CASE 10-16, A SITE PLAN TO CONSTRUCT AN 880 SQUARE FOOT ADDITION TO AN EXISTING BUILDING TO CONVERT THE BUILDING INTO AN OFFICE TO THE AUGUST 19, 2010 MEETING REQUESTING THE

PETITION PROVIDE STAFF WITH A LETTER SEEKING A 60 DAY EXTENSION. THE MOTION PASSED UNANIMOUSLY.

6. CONDITIONAL USE PERMIT

6A. PLANNING CASE 10-17 – MV TRANSPORTATION – REPAIR, REBUILDING, OR SERVICING BUSES – 9385 HOLLY STREET – PUBLIC HEARING

It was noted the applicant is requesting approval of a conditional use permit to allow repair and servicing of their fleet of buses and vans in conjunction with the operation of a bus terminal. The business will be located in an existing building. The bus terminal is a permitted use.

Ben Cletty, a representative of MV Transportation, stated the Fire Marshal has reviewed the site for the fuel tank installation and had no objections.

Chairman Naeve opened and closed the public hearing at 7:45 p.m., as no one wished to address the Planning Commission.

Commissioner Geisler questioned if the fuel tank had protective measures and would the required number of parking spaces be compromised by the tank.

Mr. Cletty stated the tank was a double fire guard tank and was five feet from the building. No parking spaces would be lost by the tank, but two steel bollards would be located around the tank and this would take up two parking stalls.

MOTION BY COMMISSIONER PETERSON, SECONDED BY COMMISSIONER GEISLER, TO APPROVE PLANNING CASE 10-17, THE PROPOSED CONDITIONAL USE PERMIT, BASED ON THE FINDING THAT IT MEETS THE STANDARDS OF CITY CODE SECTION 11-316, WITH THE FOLLOWING CONDITIONS:

1. ALL REPAIRS SHALL BE DONE INSIDE THE BUILDING AND NO OUTDOOR STORAGE OF PARTS OR VEHICLES UNDERGOING REPAIR SHALL BE ALLOWED.
2. ANY EXPANSION OF THE BUILDING AREA UTILIZED FOR REPAIRS AND SERVICING SHALL REQUIRE AN AMENDMENT TO THIS CUP.
3. ONLY BUSES AND VANS OWNED AND OPERATED BY THE APPLICANT SHALL BE REPAIRED OR SERVICED ON THIS SITE.
4. THE APPLICANT RECEIVES ALL NECESSARY PERMITS FROM THE BUILDING AND FIRE DEPARTMENT.

THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

7. ZONE CHANGE

7A. PLANNING CASE 10-18 – ZONE CHANGE FROM GENERAL COMMERCIAL TO INDUSTRIAL – SOUTHWEST CORNER OF 117TH AVENUE AND JAY STREET – PUBLIC HEARING

It was noted City is requesting approval of a zone change from General Commercial to Industrial at the southwest corner of 117th Avenue and Jay Street.

Chairman Naeve opened and closed the public hearing at 7:50 p.m., as no one wished to address the Planning Commission.

Commissioner Hosch indicated she felt the recommended rezoning suited the property well.

MOTION BY COMMISSIONER HOSCH, SECONDED BY COMMISSIONER STEVENS, TO APPROVE PLANNING CASE 10-18, THE PROPOSED ZONE CHANGE AT THE SOUTHWEST CORNER OF 117TH AVENUE AND JAY STREET FROM GENERAL COMMERCIAL TO INDUSTRIAL BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED REZONING TO INDUSTRIAL IS CONSISTENT WITH THE LAND USE DESIGNATION OF INDUSTRIAL.
2. THE PROPOSED REZONING IS COMPATIBLE WITH THE ADJACENT LAND USE DESIGNATIONS AND LAND USES.
3. THE PROPOSED REZONING TO INDUSTRIAL WOULD NOT HAVE AN ADVERSE IMPACT ON THE ADJACENT PROPERTIES.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the August 4, 2010 City Council meeting.

8. OTHER BUSINESS

Chairman Naeve reviewed a Met Council newsletter with the Commission. She reported this evening was the last meeting for Commissioner Hosch and thanked her for her service to the community. Chairman Naeve added that Commission Haag's final meeting was last month and the City would be seeking volunteers to serve on the Planning Commission.

9. TENTATIVE JUNE AGENDA

Noted.

MOTION BY COMMISSIONER HOSCH, SECONDED BY COMMISSIONER STEVENS, TO ADJOURN THE MEETING AT 7:54 P.M. THE MOTION PASSED UNANIMOUSLY.

Recorded and Transcribed by,
Heidi Guenther
Planning Commission Recording Secretary