

PLANNING & ZONING COMMISSION MINUTES
March 08, 2016 - 6:00 p.m.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m.

MEMBERS PRESENT: Commissioner Steve Lund, Gwen Carleton, Bob Ryan and Council Liaison Steve Barrows

MEMBERS ABSENT: Chair Bob Kinzel and Commissioners Howie Oswald

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS PRESENT: Sean Raboin and Bruce Kennedy

APPROVAL OF MINUTES

MOTION by Commissioner Carlton, seconded by Commissioner Lund to approve the minutes from the November 10, 2015 meeting as presented. Motion carried unanimously.

PUBLIC HEARINGS

*All items under old and new business items will go to City Council on
March 15, 2016 if not tabled, continued or otherwise noted.*

Acting Chair Ryan stated that this Commission is advisory and the final approval/denial is given at the City Council Meeting on March 15, 2016 at 7:00 pm.

OLD BUSINESS

None

NEW BUSINESS

1. PUBLIC HEARING. Conditional Use Permits to allow a drive through and related site improvements including a low floor elevation exception for Riverwood Bank for property located at 14540 Edgewood Drive. Lot 2, Block 1 of Target Addition to Baxter, Section 11, Township 133, Range 29 (City file 16-04)

Requested by: HTG Architects on behalf of Riverwood Bank 14091 Baxter Dr. Suite 201A
Baxter, MN 56425

Acting Chair Ryan asked CD Director Doty to review the application with the Commission. CD Director Doty explained that the applicant is requesting a conditional use permit to allow a drive through and related site improvements for Riverwood Bank for property located at 14540 Edgewood Drive, with a coffee shop tenant included. CD Director Doty stated that the second conditional use permit for a lower level has been pulled due to site location testing. CD Director Doty reviewed the location on a map, a site plan, relocated access points, site functions, building and landscaping plan and staff has reviewed the application for this approval and will again at the time of building permit. Staff looked at

right-of-way and requested an additional 7 ft. Being this is not a plat, the City can not take the right-of-way and can only request it. Staff is requesting the 7 ft. however staff has not heard back at this time, therefore the request is a condition of approval. A traffic analysis is proposed for this area and requested widening of Clearwater Rd or a turn lane. The applicant has revised the site plan to include a turn lane for this project and it will be incorporated with the city wide project this summer.

CD Director Doty stated that a trail/pedestrian crossing is also being looked at for the Clearwater Rd. Currently there are cross walks and a trail planned around the bank site. Staff is recommending and has added conditions to the resolution, that the side walk on the north side be continued to the northeast corner and the trail connection continue the complete length of the property on the Clearwater Rd side of the project. Staff has reviewed all of the conditions regarding the drive through and all of the conditions for a drive through have been met, including landscape as screening. CD Director Doty reviewed the hours of operations provided and stated that the Utilities Commission has recommended approval with the five conditions in the resolution. An administrative review of the architectural ordinances did take place and the applicant met the requirements. Staff is recommending approval of the conditional use permit as stated in the revised resolution. CD Director Doty reviewed pictures with the Commission of the Riverwood Bank in Monticello.

Commissioner Lund asked for clarification on the 7 ft. of right-of-way, and how much the 7 ft. will take away from the site plan. CD Director Doty showed that area on a map, indicating that it would narrow up trail location. Commissioner Lund confirmed it would not disrupt their parking, CD Director Doty indicated that was correct. Commissioner Lund moved to the east side and asked if there was additional room for parking should it be needed in the future, CD Director Doty stated that is correct.

Acting Chair Ryan opened the public hearing.

Mr. Sean Rabion and Bruce Kennedy of HTG Architects representing the applicant approached. Mr. Rabion stated that CD Director Doty did a great job explaining the project. He stated that Riverwood Bank has outgrown its current location across the street and is very excited about this project. Mr. Rabion stated that the applicant understands the majority of the requests, however they do have a few concerns. He stated the trail along Clearwater Rd. is a concern, especially since there is not a definitive plan for the bridge over Clearwater at this time. He asked for an amendment to the resolution allowing construction of the trail to occur in coordination with the construction of the bridge. If the trail is installed now, it may need to be torn up for the future bridge plan and that could be costly. Mr. Rabion drove the site and would propose to do as Aldi did, which is to install a connection for a future trail. He also spoke of the north side and explained the grade change that makes it difficult for the sidewalk to continue. He was unsure of how that would work and of the cost associated with the sidewalk. Mr. Raboin stated that the 8-12 ft. path is standard, his concern is that the trail would be tight at 8 ft. He asked if the Commission had any questions for him or Mr. Kennedy.

Acting Chair Ryan closed the public hearing.

Motion by Commissioner Lund, second by Commissioner Carleton to recommend the City Council approve the conditional use permit to allow a drive through and related site improvements for Riverwood Bank for property located at 14540 Edgewood Drive as presented in the revised resolution by staff.

Commissioner Lund asked CD Director Doty for a couple of clarifications. One being the pedestrian trail along Clearwater Rd., does the Clearwater project this summer have any pedestrian trails involved, CD

Director Doty indicated that it did not. Commissioner Lund clarified that the right-of-way would allow for it in the future, CD Director Doty confirmed that it would. Commissioner Lund asked if the lower level basement portion of the conditional use permit was going to come back to the Commission at a later date. CD Director Doty stated that there were a few different options and staff and the applicant are trying to navigate the code and building requirements for a basement. CD Director Doty stated that if a basement is not allowed than a modification of the site plan would take place in order to relocate the mechanical equipment.

Motion carried unanimously.

2. PUBLIC HEARING. Conditional Use Permit to allow grading of a riparian lot for a new slab on grade home for property located within the shoreland overlay district at 13179 Homestead Dr. N 200Ft. of S. 1100Ft. of Lot 4 Subj to road easement of rec. Section 7, Township 133, Range 28 (City file 16-05)

Requested by: Trevor & Jennifer Harting 13246 Timberlane Dr. Baxter, MN 56425

Acting Chair Ryan asked Planner Gindele to review the application with the Commission. Planner Gindele explained that the applicant is requesting a conditional use permits to allow grading of a riparian lot (Perch Lake) for a new slab on grade home for property located within the shoreland overlay district at 13179 Homestead Dr. The applicant would like to start in April with the construction of their new home as their home has sold. Planner Gindele explained the impervious surface being 3 percent of the lot, the lot is larger than required, the lot does have city services and the ability to be split into 4 lots and the string line rule is going to be used on this lot meeting the required setbacks. The applicant has provided erosion control plan, grading plan and the Utilities Commission is recommending approval with a few conditions in the revised resolution. Planner Gindele reviewed aerial views of the property and the survey showing a potential subdivision in the future if they chose to at a later date and the string line rule. Staff is recommending approval with the conditions set forth in the revised resolution.

Acting Chair Ryan stated that the string line rule has been an issue in the past, he asked that they resolve this know so at a later date the Commission is not looking at a variance later for the deck during construction. Acting Chair Ryan asked if the applicant is aware of the assessment charges, Planner Gindele stated that he was not involved in those conversations, however the applicant has spoken the Finance Director before speaking to him about the house. Commissioner Lund asked if the four lots were subdivided in the future, what would the impervious be on the one lot. Planner Gindele indicated that he had not figured that number to date but had brought the concern up to the applicant that they may not be able to subdivide if they would be creating a lot that did not meet the impervious surface requirement. Gindele stated that since the applicant is not subdividing at this time, the City cannot deny the CUP application based on a hypothetical future scenario that may or may not arise. The Commission asked about the future potential purchase of the lots and the impervious surface that could play in the future. Planner Gindele explained a few different options for subdivision.

Acting Chair Ryan opened the public hearing, there was no one to speak regarding this application.

Acting Chair Ryan closed the public hearing.

Motion by Commissioner Carleton, second by Commissioner Lund to recommend the City Council approve the conditional use permit to allow for a grading of a riparian lot for a new slab on grade home for

property located within the shoreland overlay district at 13179 Homestead Dr. as presented by staff in the revised resolution. Motion carried unanimously.

OTHER BUSINESS

None

ADJOURNMENT

MOTION by Commissioner Carleton, seconded by Commissioner Lund to adjourn the meeting at 6:46 p.m. Motion carried unanimously.

Approved by:

Submitted by:

Acting Chair Bob Ryan

Shanna Newman CD Administrative Assistant