

PLANNING & ZONING COMMISSION MINUTES
April 8, 2014 - 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: Commissioners Bob Ryan, Gwen Carleton, Howie Oswald and Council Liaison/Mayor Darrel Olson

MEMBERS ABSENT: Chair Bob Kinzel and Commissioner Steve Lund

STAFF PRESENT: Community Development (CD) Director Josh Doty

OTHERS PRESENT: Gary McEnelly, Brian Hong and Ms. Shin

APPROVAL OF MINUTES

MOTION by Commissioner Carleton, seconded by Commissioner Oswald to approve the minutes from the March 11, 2014 meeting as presented. Motion carried unanimously.

PUBLIC HEARINGS

*All items under old and new business items will go to City Council on
April 15, 2014 if not tabled, continued or otherwise noted.*

OLD BUSINESS

1. Variance to allow to allow the construction of an individual on-site septic system and domestic well on the Tanner property along Highway 371 at the southwest corner of Dellwood Drive and Novotny Road. (City file 14-005)

Requested by John Tanner for property legally described as follows: That part of the Northeast Quarter of the Southeast Quarter (NE1/4-SE1/4), Section 31, Township 134 North, Range 28 West, Crow Wing County, Minnesota described as follows: Commencing at the Southeast corner of said NE ¼-SE1/4; thence North 01 degree (full legal available at City Hall)

THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT

NEW BUSINESS

1. Preliminary and Final plat to consolidate four lots into two lots for a plat to be named "Pine Grove Estates" to allow the construction of a two apartment buildings on Clearwater Rd, west of 7393 Clearwater Rd. This application is also requesting a zoning classification change from C-2 to R-3. (City file 14-09)

Requested by Kuepers, Inc. 17018 Commercial Park Rd. Brainerd, MN 56401 legally described as follows: Lots 1-4, Block 1, Clearwater Addition to Baxter

CD Director Doty explained the applicant is requesting a rezoning and plat to consolidate four lots into two lots to be named "Pine Grove Estates" to allow the construction of a two apartment buildings on Clearwater Rd. He further informed the Commission that staff is recommending a traffic study for this area. The traffic study has not been completed so staff is recommending tabling the project until the next meeting to allow the traffic study to take place. Staff also recommends that the rezoning request be reviewed by the Long Range Planning Commission.

Commissioner Carleton asked CD Director Doty if the Long Range Planning Commission would see this application at the April 14, 2014 meeting, CD Director Doty indicated that it would be on that agenda. Commissioner Carleton asked when the traffic study would be completed. CD Director Doty indicated that the City Council has to approve the traffic study and they plan to discuss it at a special meeting being held on April 10, 2014. This application would come back on May 13, 2014 with the traffic study and rezoning recommendation from the LRPC as a complete package.

Acting Chair Ryan asked if there were any questions of staff, there were none.

Acting Chair Ryan opened the public hearing.

Mr. Mark Cross of Kuepers Construction, the applicant, reminded the Commission that there was a similar application two years ago for 36 units of townhomes on the same parcels and there was not a need for a traffic study at that point. If you look at the Long Range Functional Classification Street Map, this road is classified as a Rural Major/Urban Collector, as is Maplewood, all the frontage roads and Woida Road. The website has published traffic volumes that show that Woida Road has 2500 cars, Clearwater Road (between the frontage road and Inglewood) has 1550 cars, Excelsior (between Inglewood and the frontage road) has 4000 cars, Clearwater (extended toward Memorywood) has 2400 cars, and Memorywood to 210 has 2850 cars. Mr. Cross was unsure of the reasoning for a traffic study to stop the process when they are taking four commercial lots that would have 4 driveways and requesting two driveways for two apartment buildings. Mr. Cross further stated that they are requesting a down zoning of this property, which could cause less traffic. He asked if this is going to be done with every project that comes in for approval. Commissioner Carleton asked if this is going to slow down the project, Mr. Cross stated they would like to have a June start and with a May approval, it would make it close. Commissioner Carleton asked if the project was still on point for June and if so, what was the objection to the traffic study? Mr. Cross stated that not knowing what the cost of the study or cost of the outcomes will be is a concern. He stated that this road is large enough to accommodate turn lanes and reiterated that their previous project did not require a traffic study. Mr. Cross added that this project was delayed because in December city staff was working on revising the subdivision regulations and if the project would not have required 7' of right-of-way this project would have been administratively approved.

Acting Chair Ryan stated that a rezoning is never administratively approved and if it would have come in front of this Commission it would have been sent to Long Range Planning Commission prior to approval. He further stated that with the comprehensive plan being worked on, this area is being looked at regarding the zoning of the area. Commissioner Carleton asked for clarification on the previous

project. Acting Chair Ryan stated the previous project was a planned unit development in a C-2 district, this project is downsizing from C-2 to R-3, thus requesting a zoning change.

CD Director Doty added that the Utilities Commission also requested a traffic study for this area at their April 2nd meeting.

Acting Chair Ryan closed the public hearing.

Motion by Commissioner Carleton, second by Commissioner Oswald to recommend tabling this application until Long Range Planning Commission can review the rezoning at their April 14, 2014 meeting and until a traffic study is completed. Motion carried unanimously.

Acting Chair Ryan stated that this Commission is advisory and the final approval/denial is given at City Council on April 15, 2014 at 7:00 pm.

2. Conditional Use Permit for a planned unit development amendment to allow two, six-unit rental buildings in place of a 50 unit apartment building to be located at 13104 Cypress Dr. (City file 14-10)

Requested by Kuepers, Inc. 17018 Commercial Park Rd. Brainerd, MN 56401 legally described as follows: Lot 1, Block 1 Cypress South Apartments

CD Director Doty explained the applicant is requesting a conditional use permit for a planned unit development (PUD) amendment to allow two, six-unit rental buildings in place of a 50 unit apartment building to be located at 13104 Cypress Dr. He showed an aerial photo of the site and the land uses around the site. CD Director Doty also showed a preliminary drawing of how the rental buildings will look with the apartment building. CD Director Doty reviewed the project and conditions with the Commission. CD Director Doty added that Utilities Commission reviewed the application at their April 2nd meeting and had no issues with this application. He also noted that the revised resolution requested a bike rack for this location.

CD Director Doty stated that staff recommends approval of the conditional use permit and resolution approving the conditions of approval.

Acting Chair Ryan asked if there were any questions of staff.

Acting Chair Ryan opened the public hearing.

Mr. Cross stated that they had no concerns with the conditions. Council Liaison/Mayor Olson asked if the storm water was in place. Mr. Cross stated that the storm water was in place with the initial project.

Acting Chair Ryan closed the public hearing.

Motion by Commissioner Oswald, second by Commissioner Carleton to recommend City Council approve the conditional use permit for a planned unit development amendment to allow two, six-unit

rental buildings in place of a 50 unit apartment building to be located at 13104 Cypress Dr. subject to the conditions and findings in the draft resolution. Motion carried unanimously.

OTHER BUSINESS

None

ADJOURNMENT

MOTION by Commissioner Carleton, seconded by Commissioner Oswald to adjourn the meeting at 6:23 p.m. Motion carried unanimously.

Approved by:

Submitted by:

Acting Chair Bob Ryan

Shanna Newman CD Technical Clerk