

**REGULAR MEETING
OF THE
VADNAIS HEIGHTS PLANNING COMMISSION
NOVEMBER 26, 2013**

OPEN MEETING

Chairperson Edward Caillier called the Regular Meeting of the Vadnais Heights Planning Commission to order at 7:02 p.m. on November 26, 2013.

ROLL CALL

| | |
|------------------------------|---------|
| Edward Caillier, Chairperson | Present |
| Greg Urban, Vice Chairperson | Present |
| Bob Hellen | Present |
| Dave Anderson | Absent |
| Pete Dunn | Present |
| Greg Urban | Present |
| Brian Carnes | Present |
| Linda Bigelbach | Absent |
| Gary Nelson | Present |
| Mark Cohen | Present |

Also present: Bill Weber, Planning Consultant; Mark Graham, Director of Public Services/City Engineer; Council Liaison, Terry Nyblom; and Amanda Staple, Recorder.

APPROVAL OF AGENDA

Upon motion by Commissioner Cohen, seconded by Commissioner Hellen, it was

“RESOLVED, to approve the November 26, 2013, Regular Meeting Agenda as amended.”

Ayes – 7 Nays – 0

The motion carried.

APPROVAL OF MINUTES

Chairperson Caillier noted on page six, the third paragraph, it should state, “...she referenced the retaining wall and its proximity to the wetland.”

Commissioner Nelson noted that his first name should be listed as Gary rather than Greg.

The October 22, 2013 meeting minutes were approved as amended.

OPEN TO THE PUBLIC

Chairperson Caillier opened the floor to the public at 7:05 p.m. for questions and comments on items not on the agenda.

There being no additional speakers, Chairperson Caillier closed the meeting to the public at 7:05 p.m.

PUBLIC HEARINGS

A. Public Hearing to Consider Application Submitted by Mr. Chu Wu for a Rezoning of 3429 Centerville Road from C-1 Commercial to C-2 Commercial

Mr. Weber presented an application to rezone the site at the corner of Centerville Road and Edgerton Street from C-1 Commercial to C-2 Commercial. He explained that this is simply a rezoning request and does not include plat or site approval. He identified adjacent properties and noted that the requested rezoning would only apply to this parcel. He advised that the public hearing was noticed as required. He reviewed the previous hardware use that occurred on the property and identified the railroad tracks to the south as well as identifying the current zoning and uses of adjacent properties. He noted that the site is fairly isolated although the location is in the center of the city.

Commissioner Cohen confirmed that the applicant is both the current property owner and the potential buyer.

Mr. Weber explained that Mr. Wu originally had a desire to build a funeral home on the site but that is not allowed under the C-1 zoning district. He advised that the City Council discussed the matter and did not wish to add funeral home as a use under C-1 and even went further to remove the term mortuary from permitted uses under the C-2 district. He advised that for now, and the foreseeable future, that use has been removed as a permitted use but noted that the applicant still has an interest in the parcel and a desire to rezone the parcel. He reviewed some of the permitted uses that would be allowed under the C-1 and C-2 zoning districts. He also identified comparable parcels within the city that are zoned C-2. He believed that the request to be consistent with the Comprehensive Plan and sufficiently serviced by arterial and/or collector roads. He reviewed the traffic counts for the parcel and compared that to the traffic counts for other parcels currently zoned C-2. He reviewed the options including the ability to keep the parcel as C-1 zoning, to recommend that the parcel be rezoned to C-2, or to recommend the parcel be rezoned under another zoning district. He reviewed some of the difficulties of the parcel, including the location, and the other possible uses that may fit on the site. He believed that the potential uses would be more limited by the market rather than the allowable uses. He noted that any potential development would be an improvement from the outdoor storage that has occupied the site for years. He recommended that the Planning Commission recommend that the City Council rezone the parcel from C-1 Commercial to C-2 Commercial.

Commissioner Cohen agreed that the site is already limited in use because of the location and believed it would be beneficial to open up the allowable uses to provide additional opportunity for businesses.

Commissioner Urban questioned if the rezoning should occur prior to a known use.

Mr. Weber stated that the City does not like to make the rezoning contingent upon a certain use.

Chairperson Caillier stated that from a location standpoint this is a very original site and noted the amount of residential surrounding the site. He did not believe it would be out of line to rezone the site to residential but recognized the market difficulties.

Mr. Weber explained that the landowner does not have an interest in housing and would like to pursue a C-2 Commercial zoning.

David Garceau, 3993 Elmwood Street, stated that a zoning of C-2 Commercial would be beneficial in the sale of the property. He stated that this process has been confusing and believed that a funeral home would have been a good use of the property.

Commissioner Urban questioned if there has been any interest in the construction of a condo building, which overlooks the lake.

Mr. Garceau stated that his real estate agent has brought the idea forward but noted that the footprint of his property would not support that type of use.

Bob Cardinal, the real estate agent for the property representing Mr. Chu Wu the potential buyer, stated that the property is under contract.

Commissioner Urban questioned if there are additional uses allowed in the C-2 zoning district that would be attractive to the potential buyer.

Mr. Cardinal stated that Mr. Wu currently has a successful funeral home location and the business demands for additional space. He explained that the applicants were not made aware that the potential use of funeral home had been removed by the City Council as an allowed use on November 6th.

Chairperson Caillier opened the public hearing at 7:47 p.m.

Paul Houck, 1133 Roselawn Avenue, stated that he would be in favor of the rezoning of the property; noting that he owns the adjacent property.

Chairperson Caillier closed the public hearing at 7:48 p.m.

Upon motion by Commissioner Carnes, seconded by Commissioner Cohen, it was

“RESOLVED, to recommend that taverns become a special use under the C-2 Commercial zoning district.”

Ayes – 3 (Dunn, Cohen, Carnes) Nays – 4

The motion failed.

Upon motion by Commissioner Carnes, seconded by Commissioner Cohen, it was

“RESOLVED, to recommend approval of the request to rezone 3429 Centerville Road from C-1 Commercial to C-2 Commercial.”

Ayes – 7 Nays – 0

The motion carried.

B. Public Hearing to Consider Application Submitted by Mr. Glenn Gleason for a Preliminary Plat to Divide One Lot Located at 3870 McMenemy Street into Three

Mr. Weber presented an application to divide one parcel into three parcels and identified the parcel location on an aerial map noting that the property owner lives in the home on the property. He advised that staff has met with the property owner to discuss ideas for the parcel and noted that the proposal is the product that came from those discussions. He advised that one home on each lot would be built with additional space for two more homes. He explained that the roadway and utilities would be extended to include a temporary turnaround. He recommended approval of the plat.

Commissioner Urban referenced 3902 McMenemy and the existing home location and asked for additional information regarding the proposed road location.

Mr. Weber discussed the potential road location and believed that would still allow for a buildable site behind 3902 McMenemy.

Mr. Graham advised that the sanitary sewer already exists to connect these two points, although water is not installed, and noted that the roadway would follow that line. He stated should this move forward the application would need to dedicate the street right-of-way and fund all of the street improvements.

Glenn Gleason, 7618 Mork Avenue South, Edina stated that he is present as the applicant.

Dan Richmond, perspective developer for the property owner, stated that there is no present, or near future, plans to have the additional two homes. He noted that the sewer is already installed and the roadway would simply be extended 165 feet. He asked that the Commission approve the preliminary plat so the request can move forward. He acknowledged that the road improvements would be at their own cost.

Commissioner Cohen questioned the plans for the other two homes planned to be built.

Mr. Gleason stated that both homes are planned to be occupied by family members.

Commissioner Nelson confirmed that the family is planning to build the homes for family members and the lots will not be listed for sale.

Chairperson Caillier opened the public hearing at 8:11 p.m.

Leonard Ott, 3863 Tessier Trail, stated that he owns the adjacent property and questioned if there would be concern with the water drainage and whether culverts would be planned.

Mr. Graham stated that this application is simply to create the lots and explained that when planned each home would have to present a grading and drainage plan for review by the City.

Mr. Richmond stated that their intention is not to cause a negative impact on adjacent property owners and noted that they could speak with Mr. Ott with the proposed grading plans to ensure that his concerns are addressed.

Chairperson Caillier closed the public hearing at 8:15 p.m.

Upon motion by Commissioner Cohen, seconded by Commissioner Nelson, it was

“RESOLVED, to recommend approval of the Mork Addition preliminary plat located at 3870 McMenemy Street subject to the conditions listed in the staff report.”

Ayes – 7 Nays – 0

The motion carried.

C. Public Hearing to Consider Application Submitted by Buerkle Enterprises, LLC for Site Plan, Variances, and Preliminary Plat Approval for a 40,000 Square Foot Expansion of Buerkle Honda Located at 3360 Highway 61 North

Mr. Weber presented a request to expand the Buerkle Honda dealership location from the existing 2,800 square foot size to add approximately 40,000 square feet. He reviewed the adjacent uses and noted that the site is zoned Highway Business. He advised that the expansion space is flat and has been regarded. He reviewed the proposed expansion plans, which would include parking for customers and sale vehicles as well as a raised platform for a vehicle. He explained that the proposed utilization of the site would be heavy at 88 percent, noting that the maximum allowable rate is 90 percent. He stated that in these cases surface water management becomes a concern but advised that issue has been considered and incorporated. He discussed the potential access points for the site, noting that one access point would be shared by two other neighboring dealerships. He advised that a variance is being requested for the parking stalls, which will be used for the inventory sale vehicles and noted that the smaller dimensions would not apply to customer or employee parking spaces. He noted that there would be sufficient space for a semi-truck or emergency vehicle to maneuver around the site as proposed. He reviewed the proposed surface water management plan and landscaping plans noting that both are acceptable under City requirements. He recommended approval of the requested actions and reviewed the conditions of approval that he would also recommend.

Commissioner Nelson clarified the potential access points.

Chairperson Caillier clarified the parking stall locations that would require a variance and questioned if the existing spaces meet the required dimensions.

Quinn Hudson, architect for the applicant, identified the areas that would be requested for variance and believed that the existing parking stalls meet the required dimensions.

Councilmember Nyblom referenced the three quarter intersection and questioned if an opinion should be obtained from MnDot to determine if the traffic flow would support this action.

Mr. Weber stated that he was not aware if MnDot approval would be needed but advised that he would follow up.

Mr. Graham stated that staff spoke with MnDot when the regarding was completed and so they are aware of the project, but confirmed that staff could follow-up.

Mr. Hudson thanked the Commission for their time tonight in reviewing the request to expand the business.

Chairperson Caillier believed this would be a great expansion and opportunity for the City to have an expanded business.

David Buerkle noted that there are currently 204 employees and estimated an additional 20-25 employees could be hired as a part of the expansion.

Chairperson Caillier questioned the purpose of the fence along the property.

Mr. Buerkle confirmed that the fence is used to prevent drive-off of vehicles.

Mr. Weber stated that his review of the site plan seems that practically all the new sale vehicle spaces would require a variance for dimension; noting that he did not oppose the variance request and simply wanted to clarify.

Mr. Graham stated that Mr. Hudson has been an integral part of the process because of his experience with dealerships.

Chairperson Caillier opened the public hearing at 8:50 p.m.

No additional comments made.

Chairperson Caillier closed the public hearing at 8:50 p.m.

Upon motion by Commissioner Cohen, seconded by Commissioner Hellen, it was

“RESOLVED, to recommend approval of the site plan, variances and preliminary plat for the expansion of the Buerkle Honda auto dealership located at 3360 Highway 61 North subject to the conditions listed in the staff report.”

Ayes – 7 Nays – 0

The motion carried.

Mr. Graham stated that these requests will go before the Council at the second meeting in December.

OLD BUSINESS

None.

NEW BUSINESS

A. Consider Sale of City Land along County Road F (Former Staeheli Property)

Mr. Weber stated that the City owns three or four acres on the north side of County Road F, which is currently zoned R-2. He stated that the City hopes to sell the property and explained that the State law requires that the Planning Commission must first find that the zoning is consistent with the Comprehensive Plan. He advised that the current zoning does match the Land Use Plan found within the Comprehensive Plan. He stated that the City hopes to sell the property to a developer, which could develop the property and finance the construction of streets. He stated that staff is speaking with the adjacent property owners to determine if there is interest in selling portions of their property which could ultimately be combined to create a larger development. He noted that a development would also provide a street connection that the City is currently lacking. He recommended approval of the request as proposed.

Upon motion by Commissioner Cohen, seconded by Commissioner Urban, it was

“RESOLVED, to recommend that the Commission finds that the sale of the City-owned property at 843 County Road F for development consistent with the regulations of the R-2 zoning district and the construction of a City street and public utilities between County Road F and North Oak Drive is consistent with the Vadnais Heights Comprehensive Plan.”

Ayes – 7 Nays – 0

The motion carried.

REPORTS

A. Council Liaison

Council Liaison Nyblom advised that the City Council has been focused on the City budget.

B. Planning Commissioners

Commissioner Nelson noted that there are incorrect Commissioner names listed on the public hearing notification that is published.

C. Planning and Engineering Staff

Mr. Weber referenced the December meeting of the Planning Commission noting that there is a need to meet and suggested that the meeting take place on December 17th rather than the original date.

Commissioner Carnes and Cohen stated that they would not be able to attend on that date.

Mr. Weber provided a brief update on the recent applications, which had been reviewed by the City Council following the review of the Planning Commission as well as recent activity within the City.

Mr. Weber noted that the request for the December meeting is a land split and advised that he will follow up with the landowner to determine if she could wait until the January meeting.

Chairperson Caillier asked for additional information on the decision to remove mortuary or funeral home from the C-2 Commercial district.

Mr. Graham provided clarification on the Council discussion to remove mortuary from allowable uses for the C-2 Commercial zoning district. He confirmed that the applicant and potential buyer were made aware of the decision and advised that there are still a number of possibilities for that site.

Mr. Weber stated that if any Commissioners would like a paper copy of the material he provided on CD at the previous meeting, simply contact the City Clerk and she can provide that material. He also noted that the tutorials discussed would begin in January.

NEXT MEETING

The next Planning Commission meeting will be held on December 17, 2013.

ADJOURN MEETING

Upon motion by Commissioner Nelson, seconded by Commissioner Urban, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,
Amanda Staple
TimeSaver Off Site Secretarial, Inc.