

**COON RAPIDS PLANNING COMMISSION MEETING OF NOVEMBER 17, 2011**

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, Cedric Lattimore, Wayne Schwartz, Jonathan Lipinski, and Julia Stevens.

Members Absent: Commissioner Margaret Murphy.

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

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1. PLEDGE OF ALLEGIANCE
  2. ADOPTION OF THE AGENDA

MOTION BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER LATTIMORE, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

3A. APPROVAL OF THE OCTOBER 3, 2011 SPECIAL MEETING MINUTES

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER SCHWARTZ, TO APPROVE THE PLANNING COMMISSION SPECIAL MEETING MINUTES OF OCTOBER 3, 2011, AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

3B. APPROVAL OF THE OCTOBER 20, 2011 REGULAR MINUTES

Commissioner Geisler requested corrections to the minutes on Page 2, paragraph 2, her statement should read, would there be a new or existing garage door. She requested that Paragraph 7 read the new door shall blend with the existing garage doors. She asked that Paragraph 8 read the concrete will replace the existing drive through.

Commissioner Geisler requested a change on Page 5, paragraph 3, it should be noted the garbage enclosure would be white.

Chairman Naeve requested a change on Page 5, paragraph 1, suggesting that the following language be added: City Code requires that no delivery vehicles be backed in or out of the site.

Chairman Naeve stated on Page 6, at the end of paragraph 1, she requested that a sentence be added to reflect the petitioner would not be using any smaller vehicles for deliveries, only semis. She requested further clarification as to why Condition 7 was added to the minutes.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER STEVENS, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF OCTOBER 20, 2011, AS CORRECTED. THE MOTION PASSED UNANIMOUSLY.

4. SITE PLAN APPROVAL

4A. PLANNING CASE 11-29 – ANOKA RAMSEY COMMUNITY COLLEGE – SITE PLAN TO CONSTRUCT AN ADDITION AND EXTERIOR RENOVATION TO THE FINE ARTS BUILDING – 11200 MISSISSIPPI BOULEVARD

It was noted the applicant is proposing exterior upgrades and a small addition to the fine arts building. The Community College, as a state agency, is not subject to City zoning regulations. However, the College has submitted plans for the improvements for Planning Commission comments.

Kate Yearpo, Anoka Ramsey representative, reviewed a material samples board with the Commission. She discussed the addition in further detail along with the exterior renovation to the Fine Arts Building. Ms. Yearpo indicated the skyway material would be an insulated metal wall panel in a dark brown color that would tie the two building colors together.

Chairman Naeve asked if the existing studio arts building would require renovation to allow for the skyway connection. Ms. Yearpo indicated the skyway was planned in 2008 and a knock out panel would have to be removed for the connection.

MOTION BY COMMISSIONER LATTIMORE, SECONDED BY COMMISSIONER STEVENS, TO APPROVE PLANNING CASE 11-29, THE PROPOSED SITE PLAN IMPROVEMENTS FOR THE FINE ARTS BUILDING AT ANOKA RAMSEY COMMUNITY COLLEGE.

Commissioner Geisler thanked the representatives from Anoka Ramsey for the detailed presentation on the site plan for the planned addition and renovations.

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.

5. COMPREHENSIVE PLAN AMENDMENT

5A. PLANNING CASE 11-30 – STEVE CULLEY – LAND USE PLAN AMENDMENT FROM OFFICE TO COMMUNITY COMMERCIAL – 295, 311 AND 325 NORTHDALÉ BOULEVARD – PUBLIC HEARING

It was noted the applicants are requesting approval of an amendment to the City's Comprehensive Land Use Plan and rezoning to change the land use designation and zoning from Office to Community Commercial. Planner Harlicker reviewed the current land use map with the Commission noting the majority of properties fronting Northdale Boulevard were Community Commercial. He discussed the viability of the locations becoming commercial uses. Staff recommended approval of the amendment.

Chairman Naeve requested further information on the types of uses that would be allowed within the Community Commercial zoning district that was not allowed in the Office zoning district. Planner Harlicker explained restaurants, fast food, off-sale liquor, some adult uses, automobile parts store, car wash, commercial recreation, roller rink, indoor movie theater, automobile rental facility, tavern or bar, new car dealership, greenhouse/nursery, commercial printing, newspaper distribution, and small engine repair would be allowed. He indicated most of the uses would require a conditional use permit, except for a restaurant or fast food establishment.

Chairman Naeve opened the public hearing at 6:58 p.m.

Jack Keepey, 318 114<sup>th</sup> Avenue, thanked Staff for clarifying the permitted or allowed uses for these sites. He questioned if Northdale was being redeveloped in the next few years. Community Development Director Nevinski stated the County was proposing to upgrade Foley Boulevard and this intersection would be realigned. Several properties to the east of the intersection would be impacted when this work is completed. He indicated this was not a foregone conclusion and was merely in a proposal phase.

Peggy Hickey, 310 114<sup>th</sup> Avenue NW, commented the water treatment plant was not a buffer to the neighboring properties. She was pleased that the residential property was being rezoned as this had been a rental property. Ms. Hickey expressed concern with the level of noise created by the Montessori school and asked if the City's noise ordinance was being followed. She did not want to see any increased evening noise with the new businesses, or additional adult uses/bars.

Community Development Director Nevinski commented that with the alcohol regulations he did not see the potential for a bar to locate in this area. He noted a liquor store was already located in the neighborhood and with the one mile radius requirement for liquor stores this would not be an option for these sites either.

Ms. Hickey expressed concern with the traffic entering and exiting these sites stating it was difficult to get onto Northdale Boulevard.

Chairman Naeve closed the public hearing at 7:11 p.m.

Chairman Naeve questioned if the comprehensive land use amendment was contingent on approval of the zone change. Planner Harlicker stated this could be made a condition for approval.

Commissioner Lipinski thanked the residents for addressing the Commission this evening and for raising their concerns. He indicated traffic to and from these sites could be a concern. He recommended small businesses locate on these properties.

Commissioner Geisler stated Community Commercial was a more intense use for these small sites. She indicated parking constraints concerned her due to the fact these sites were small. She suggested a conditional use within Office be sought for these properties versus the proposed rezoning.

Commissioner Schwartz questioned if the center property (311) was bank foreclosed. Community Development Director Nevinski noted the property was bank owned at one time, but the property has since been purchased by the HRA.

Commissioner Schwartz asked if the 311 property could be combined with an adjacent parcel to create a larger lot which would create a site for a larger business. Community Development Director Nevinski stated this could be an option. He noted the City did have a utility easement over the 311 property to gain access to the water treatment facility.

Commissioner Schwartz did not support the proposal at this time given the fact more intense uses could be placed on these lots and would greatly affect traffic flow and the neighborhood.

Chairman Naeve commented she did not see a great difference between Office and Community Commercial. She understood Community Commercial was the zoning designation across the street and supported the land use amendment at this time.

Commissioner Geisler indicated if the sites were changed from Office to Community Commercial, the City gave up the right to place conditions on several types of business uses. She explained that retail was permitted within the Office zoning designation as a conditional use. She felt the locations along Northdale Boulevard would suit small retail businesses well.

Commissioner Lattimore commented that while the land use amendment was consistent with the neighboring properties, he felt the City would be losing some control over the future businesses if the land use plan amendment were to proceed.

**MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER SCHWARTZ, TO RECOMMEND DENIAL IN PLANNING CASE 11-30, OF THE PROPOSED LAND USE AMENDMENT BASED ON THE FOLLOWING FINDINGS:**

1. THE CURRENT LAND USE DESIGNATION IS COMPATIBLE WITH THE SURROUNDING LAND USE DESIGNATIONS AND LAND USES.
2. A CHANGE IN THE LAND USE MAY HAVE A DETRIMENTAL IMPACT ON THE AREA.
3. A CHANGE IS NOT REQUIRED TO ALLOW THESE PARCELS TO REDEVELOP AS THE LAND USE DESIGNATION OF OFFICE FITS MORE APPROPRIATELY ON THESE PARCELS.

Commissioner Lattimore thanked the residents for bringing their concerns to the Commission this evening. He questioned why the original rezoning request was made. Community Development Director Nevinski stated Mr. Culley was interested in moving his business from across town to one of these sites. His business includes screen printing and embroidery. The office district does not allow for this type of business even as a conditional use.

Chairman Naeve questioned if the language for the findings was acceptable. Community Development Director Nevinski approved of the stated findings and noted he would review the tape to assure the comments were captured.

Chairman Naeve commented she felt Community Commercial was a more fitting designation for these sites. Community Development Director Nevinski commented the Planning Commission was making a recommendation to the Council this evening and the final findings of fact would be made by the Council.

THE MOTION FAILED 3-3 (STEVENS, LIPINSKI AND CHAIRMAN NAEVE OPPOSED).

Chairman Naeve questioned how this item would proceed. Community Development Director Nevinski indicated a tie in this case would be forwarded to the Council with a recommendation for denial.

Commissioner Geisler asked if discussion could be reopened because there was a tie vote. Community Development Director Nevinski was uncertain.

Chairman Naeve requested the Commission take a short recess to allow time for Staff to seek further information from Roberts Rules of Order on how to proceed with this issue given the fact the vote was tied.

The Planning Commission recessed at 7:35 p.m.

The Planning Commission reconvened at 7:44 p.m.

Chairman Naeve did not have a definitive answer but stated it appeared a tied motion for denial would proceed to the Council.

This is a recommendation to the City Council that will be considered at the December 20, 2011 City Council meeting.

6. ZONE CHANGE

6A. PLANNING CASE 11-31 – STEVE CULLEY – ZONE CHANGE FROM  
COMMUNITY COMMERCIAL OFFICE TO COMMUNITY COMMERCIAL, 295,  
311 AND 325 NORTHDALE BOULEVARD – PUBLIC HEARING

It was noted the applicants are requesting approval of a zone change from Office to Community Commercial.

Chairman Naeve opened the public hearing at 6:58 p.m.

See the discussion above under Item 5A.

Chairman Naeve closed the public hearing at 7:11 p.m.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER LIPINSKI, TO RECOMMEND APPROVAL IN PLANNING CASE 11-31, THE PROPOSED ZONE CHANGE BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED REZONING IS COMPATIBLE WITH THE SURROUNDING ZONING AND LAND USES.
2. THE PROPOSED REZONING WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.
3. REDEVELOPING THESE PARCELS AS *COMMUNITY COMMERCIAL* WOULD BE A LOGICAL EXTENSION OF THE EXISTING *COMMUNITY COMMERCIAL* ZONING TO THE SOUTH AND WEST.
4. THE PROPOSED REZONING IS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION OF *COMMUNITY COMMERCIAL*.

THE MOTION FAILED 3-3 (GEISLER, SCHWARTZ AND LATTIMORE OPPOSED).

This is a recommendation to the City Council that will be introduced at the December 6, 2011 City Council meeting.

7. OTHER BUSINESS

None.

8. TENTATIVE DECEMBER AGENDA

Noted.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER SCHWARTZ, TO ADJOURN THE MEETING AT 7:48 P.M. THE MOTION PASSED UNANIMOUSLY.

Recorded and Transcribed by,  
Heidi Guenther  
Planning Commission Recording Secretary