



**City of Newport
Planning Commission Minutes
January 12, 2012**

1. CALL TO ORDER

Administrator Anderson called the meeting to order at 7:00 P.M.

2. ROLL CALL -

Commissioners present – Katy McElwee-Stevens, Janice Anderson, Dan Lund, Matt Prestegaard

Commissioners absent –Susan Lindoo

Also present – Brian Anderson, City Administrator; Renee Helm, Executive Analyst; Tom Ingemann, Council Liaison; Sherri Buss, TKDA Planner

Commissioners Lund and Prestegaard were appointed to the Planning Commission on January 9, 2012. Each Commissioner provided a brief introduction.

3. NOMINATION AND APPOINTMENT OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2012

Admin. Anderson – At the first meeting of the year, the Planning Commission has to approve a Chair and Vice-Chair. The Vice-Chair that served the previous year automatically becomes the Chair, therefore, Susan Lindoo is the Chairperson for 2012. Are there any Commission members who would like to serve as Vice-Chair for 2012?

Dan Lund – I am willing.

Matt Prestegaard – I would support Dan.

Motion by Prestegaard, seconded by Anderson, to appoint Dan Lund as the Vice-Chair for 2012. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

4. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of December 8, 2011

Janice Anderson – On the first page, in the middle, “Conditional Use Permit” should be capitalized both times. On the third page, under B, the last line, I believe it should read “tanks” instead of “stank.” On page four, where Mr. Ellerd says “This isn’t bulk storage,” I believe the word “done” should be “down.” On page five, the second paragraph, it should be “necessarily” instead of “necessary.” Also on page five, where Susan Lindoo says “The problem is that this area because,” I believe “because” should be “became.” On page nine, when Daniel Flood is giving his resignation, I believe “Commission” should be capitalized throughout the paragraph.

Motion by Anderson, seconded by McElwee-Stevens, to adopt the December 8, 2011 minutes as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Public Hearing – To consider an amendment to Chapter 10, Water and Sewer Systems of the *City of Newport Code of Ordinances*

Sherri Buss, TKDA Planner, presented on this item as outlined in the January 12, 2012 Planning Commission Packet. Ms. Buss recommends that the ordinance be placed in Chapter 10, Water and Sewer Systems, instead of

Chapter 1371, Storm Water Management, because the ordinance does not relate to zoning. The City is required to adopt this ordinance through the Minnesota Pollution Control Agency (MPCA).

Matt Prestegaard – What are the consequences of not approving the ordinance?

Ms. Buss – The City would not receive their storm water permit from the MPCA, which means your system would not be in compliance. This is a good thing to regulate. Several cities have found people hooking up all sorts of things into the storm sewer system and this allows us to regulate and penalize individuals if we find them doing that.

Janice Anderson – I have a couple items. On the first page, under 11.03(2), the words “house keeping” should be one word. Further into the document, MPCA is used but not defined so I think that should be defined in the definitions and should be number nine. In number 13 of the definitions, I don’t understand the use of the word “ordinances.” Does that mean ammunitions?

Ms. Buss – Yes, they mean ordnance, like weaponry.

Janice Anderson – Yea, I think the “i” is not in that word so that needs a correct spelling. On page three, under 11.09, I had trouble reading it. I think the last sentence on page three should be part of the above paragraph. On page four there are two number ones and I think the second one is supposed to be part of the prior sentence. Under 11.10, NOI is not defined in the definitions either.

Ms. Buss – We could probably just put notice of intent instead of NOI.

Janice Anderson – On page five, number three on the top, I believe that “ATTN” needs to be spelled out. In 11.11, number two, insert a comma after “examination.” Page six, first paragraph, third to the last line, it says “shall be deemed compliance,” I believe it should be compliant. Then on the next line where it says “storm water pollution prevention plan,” I believe the first letters of each word should be capitalized. On page seven, subdivision number four; I need an explanation in regards to what storm drain stenciling is.

Ms. Buss – There is a process that people do where they take stencils that say “Drains to Mississippi River” or “Drains to Lake” for educational purposes. A lot of Boy Scout groups do this to inform residents.

Janice Anderson – So it’s signage?

Ms. Buss – Yes

Janice Anderson – Could we put “signage” in there instead of stenciling?

Ms. Buss – We could put “stenciling or signage.”

Janice Anderson – Finally, under 11.19, there should be a comma after “state” on the second page.

Vice-Chairperson Lund opened the Public Hearing at 7:19 P.M.

Admin. Anderson – There’s a notice of public hearing in your packets. The notice went out in the South Washington County Bulletin/Woodbury Bulletin on December 21, 2011.

Vice-Chairperson Lund closed the Public Hearing at 7:20 P.M.

Motion by McElwee-Stevens, seconded by Anderson to approve Resolution No. P.C. 2012-1 as amended, recommending the Newport City Council approve a zoning amendment to Chapter 10, Water and Sewer Systems of the City of Newport Code of Ordinances. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

B. Discuss the Red Rock Gateway Implementation Study – Draft Map and Zoning Ordinance

Before presenting on this item, Ms. Buss provided a brief background on this project for the new Commission members. Ms. Buss then went on to present on this item as outlined in the January 12, 2012 Planning Commission Packet.

The first item that the Planning Commission discussed was the draft zoning map for the Red Rock area. At the November 10, 2011 Planning Commission meeting, it was recommended that the MX-3 District be expanded so that the southern border is 15th Street and the west border between 15th Street and 17th Street be 4th Avenue. The Commission discussed the pros and cons of expanding the MX-3 District to these borders and decided that it would be beneficial to expand the District.

The second item that the Planning Commission discussed was the draft section of the zoning ordinance for the MX-3 District. The draft ordinance that the Commission will be discussing is 1350.11 Specific Intent of the MX-3 Transit-Oriented Mixed Use District. Ms. Buss recommended that the City establish a book for the design standards of the District because a majority of the items in Section 1350.11 are design standards. It is recommended that Sections 1350.13(G) be included in the Design Book. If the Design Book was incorporated into the Code, it would be mandatory. The Planning Commission will need to determine what to include in the Design Book and whether or not it should be incorporated into the Code. The Design Book would show examples of design standards and would not require an ordinance amendment every time design standards change.

The Planning Commission reviewed the draft ordinance and changes that were made to it from the November 10, 2011 Planning Commission meeting.

In regards to the Allowed Uses table, the Planning Commission discussed how specific the table should be and what would happen if a business wanted to build something that is not on the table. In a case where a use is not on the table, the Zoning Administrator would find a use on this table that it is most like and would say whether or not it is allowed in the District. Additionally, if an existing business in the MX-3 District is not listed in the table, then that business becomes non-conforming. Non-conforming businesses or uses are grandfathered in but will have restrictions in regards to expanding in the future.

In regards to the specificity of the table, the Commission discussed creating broader categories instead of being specific. Ms. Buss discussed two options for making the table more generic. One way is to create a section that lists conditions for certain uses such as size, hours, etc. The second option is to have a table that's more generic at the beginning and then add more specific uses as proposals come in. Ms. Buss will review the table and will bring back a recommendation for the next meeting.

The Planning Commission discussed Section 1350.13, Bulk and Dimensional Standards. Ms. Buss presented the following recommendations for height and setbacks and provisions:

Height and Setbacks	Residential Townhouse	Residential Condo, Apt., Cooperative	Mixed-Use Building	Commercial, Civic, not in mixed-use building
Height	3 stories or 35 feet, whichever is less	2 stories minimum, 4 stories maximum* (45)	2 stories minimum, 4 stories maximum*	No minimum, 4 stories maximum
Setbacks	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: none required	Front: Maximum of 8 feet Side: 10 feet Rear: none required

* Maximum height may be increased upon issuance of a Conditional Use Permit. Single-story buildings shall have a foot print of no more than 15,000 square feet.

Provision	Districts						
	MX-1	MX-2	MX-3	B-1 and B-2	I-1	I-2	IS
<i>Lot size, Lot dimension, and coverage provisions</i>							
Maximum residential density, units/acre	25	11	50	N/A	N/A	N/A	N/A
Minimum residential density, units/acre	None	None	30				
Minimum net FAR (Floor Area Ratio)			1.5 FAR				

Ms. Buss handed out a sheet, which will be included in the official minutes, that outlines the Metropolitan Council’s guidelines and recommendations for Transit-Oriented Development Settings and Floor Area Ratio (FAR). In order to achieve the FAR, developers will need to provide underground or structured parking for apartment and townhomes. Additionally, developers may allow less parking spaces per unit. It was determined that a 1.5 FAR is not realistic for the near future since the transit station will only be hosting buses immediately. The Commission is recommending that the minimum net FAR be 0.5 for the near future and that it be reexamined when the rail is closer to being developed. In regards to the Height and Setbacks, the Commission is recommending the following:

Height and Setbacks	Residential Townhouse	Residential Condo, Cooperative	Apt., Mixed-Use Building	Commercial, Civic, not in mixed-use building
Height	3 stories or 36 feet maximum, whichever is less	2 stories (24’) minimum, 4 stories (48) maximum*	2 stories (24’) minimum, 4 stories (48) maximum*	No minimum, 4 stories (48’) maximum
Setbacks	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: none required	Front: Maximum of 8 feet Side: 10 feet Rear: none required

C. Discuss the 2012 Strategic Plan Goals and Objectives

Admin. Anderson presented on this item as outlined in the January 12, 2012 Planning Commission packet. The following updates were made to the Planning and Community and Economic Development goals and objectives:

- Remove the following since they have been completed:
 - Linn Development proposal
 - Bancor 58-acre RE Development proposal
- Add the following:
 - Review the Transit Site Planning proposal
 - Assist in various grant application opportunities
 - Assist on site-specific development efforts

6. COMMISSION AND STAFF REPORTS

No reports

7. NEW BUSINESS

No new business

8. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|-------------------------------------|------------------|-----------|
| 1. City Council Meeting - Cancelled | January 19, 2012 | 5:30 p.m. |
| 2. City Council Meeting | February 2, 2012 | 5:30 p.m. |
| 3. Planning Commission Meeting | February 9, 2012 | 7:00 p.m. |

9. ADJOURNMENT

Motion by Anderson, seconded by McElwee-Stevens, to adjourn the Planning Commission Meeting at 9:13P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Susan Lindoo, Chairperson

Respectfully submitted,

Renee Helm
Executive Analyst