



**City of Newport
Planning Commission Minutes
October 11, 2012**

1. CALL TO ORDER

Chairperson Lindoo called the meeting to order at 7:00 P.M.

2. ROLL CALL -

Commissioners present – Susan Lindoo, Dan Lund, Janice Anderson, Katy McElwee-Stevens

Commissioners absent – Matt Prestegaard

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

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of September 13, 2012

Motion by Anderson, seconded by McElwee-Stevens, to approve the September 13, 2012 minutes as presented. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.

Dan Lund arrived at 7:01 p.m.

4. APPOINTMENTS WITH COMMISSION

A. Public Hearing – To consider an application from the Washington County Regional Railroad Authority for Approval of a Station Area Plan, Station Site Plan, Conditional Use Permit, Variance and a Major Subdivision for Property Located at 2222 Maxwell Avenue

The Public Hearing opened at 7:02 p.m.

Sherri Buss, TKDA Planner, Andy Gitzlaff, Washington County, and Stuart Krahn, Senior Associate with Stantec presented on this item as outlined in the October 11, 2012 Planning Commission Packet.

The applicant is requesting approval of a Station Area Plan, Station Site Plan, Conditional Use Permit (CUP), Variance and Major Subdivision to allow development of a transit station on and subdivision of the parcel at 2222 Maxwell Avenue. The site is 11.6 acres in size and is located in the MX-3 Transit-Oriented Mixed Use District. The applicant is proposing to construct a new roadway, a transit station, and a park and ride lot on a portion of the site, and is platting the remainder of the site for future private development.

The proposed use requires approval of a Station Area Plan, Site Plan, and CUP based on the requirements of the MX-3 zoning district. The applicant has requested a variance from the front setback requirements to allow construction of the transit station canopy within the required setback. The project requires approval of a Major Subdivision because the applicant is proposing a new public roadway in addition to three new lots.

Bob Franklin, Newport Cold Storage – Mr. Franklin was present to discuss concerns regarding their driveway. Mr. Franklin would like to know if there is any consideration to move the driveway for Newport Cold Storage to align with the new street.

Susan Lindoo – I believe that has been raised by the Engineer but I don't believe it's been addressed yet.

Mr. Gitzlaff – I’d have to go back to our traffic engineer to see if this is feasible. I know he’ll say that it’s beneficial; however there are some items that will hold it up such as the cost to relocate the driveway and the fact that MnDot owns a majority of that land. We are talking with the City in regards to the future of Maxwell Avenue.

Ms. Buss – We can certainly discuss that at the staff meeting and you can also add a condition stating that the County review options for the future of Maxwell Avenue, including the possibility of moving the driveway.

The Public Hearing closed at 8:16 p.m.

The Planning Commission discussed the requests by the applicant for a Station Area Plan, Site Plan, Conditional Use Permit, Variance, and Major Subdivision. The primary points of their discussion are below:

Station Area Plan

The applicant is requesting approval of a Station Area Plan for the entire 11.6-acre site. The Planning Commission discussed and requested the following:

- The Planner has included a condition that the County or future developers complete a detailed analysis of traffic and traffic controls when future development applications are submitted for Outlot A. The Planning Commission requested that the condition be modified to include consideration of roundabouts as the traffic control at the intersections of Maxwell Avenue with the new street and 21st Street and consideration of moving the driveway for Newport Cold Storage.
- The Planning Commission recommended that the new street within the subdivision be named “Red Rock Crossing.”

The Planning Commission recommends that the City Council approve the WCRRA request for a Station Area Plan based on the following findings:

Station Area Plan Findings:

1. The proposed Station Area Plan is consistent with the intent of the MX-3 Zoning District and the City’s Comprehensive Plan.
2. The proposed Plan is not detrimental to public health, safety or general welfare.
3. The proposed Plan is not hazardous, detrimental or disturbing to surrounding land uses.
4. The Plan will not create traffic congestion, unsafe access or parking needs that will cause an inconvenience for surrounding properties.
5. The proposed Plan provides for adequate public utilities and services.
6. The proposed Plan will not create adverse environmental impacts.
7. Each phase of the Plan can exist as an independent unit.

Motion by Anderson, seconded by Lund, to approve Resolution No. P.C. 2012-8 recommending the City Council approve the Station Area Plan. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Site Plan and CUP

The applicant is requesting approval of a Site Plan for Lot 1 and a Conditional Use Permit (CUP) for the Transit Station. The Planning Commission discussed and requested the following in regards to the Site Plan and CUP:

- The Planning Commission discussed the bicycle facilities proposed for the transit station, and the WCRRA staff presentation regarding plans to connect the site to existing and future bicycle trails in the area. The Planning Commission recommended adding a condition that a dedicated bicycle route be developed to connect the existing trail on Maxwell Avenue to the transit facilities to support safe bicycle use of the facility and local trails.
- The Planning Commission determined that the screening included in the site plan is adequate to meet the ordinance requirements.
- The Planning Commission reviewed the plaza and open space areas shown on the plans, and indicated that the areas meet the open space dedication intent and requirement of the ordinance.

- The Planning Commission discussed actions the City could take to add interest to the west wall of the transit building. Some options included a city bulletin board or mural. The Planning Commission recommended that if the WCRRA is not willing to modify the design of the west wall, that the City Council consider design options that will improve the view of the building for those entering the station area and adjacent to it, and that will discourage graffiti on this visible surface.
- The design standards do not allow the use of painted or unpainted concrete block as an exterior material. The applicant indicated that the exterior materials will include “burnished block.” The applicant provided samples of the proposed material for review by the Planning Commission. The Commission found that the material meets the ordinance requirement.

The Planning Commission recommends that the City Council approve the WCRRA request for a Site Plan and CUP based on the following findings:

Transit Site Plan and CUP Findings:

1. The proposed Site Plan is generally consistent with the intent of the MX-3 Zoning District, other sections of the City Code, the Comprehensive Plan, and Design Guidelines for the MX-3 District.
2. The Site Plan will not have a negative impact on public health, safety and general welfare, traffic, parking, public facilities, the environment and natural resources or surrounding land uses.
3. The proposed PUD will not compromise the health, safety and welfare of the community and residents of the PUD if the conditions proposed are addressed by the applicant;
4. Conditions for approval of the Site Plan and CUP have been included to require that the Site Plan meets all requirements of the Zoning Ordinance and protect the best interest of the surrounding area and community as a whole.

Motion by Anderson, seconded by Lund, to approve Resolution No. P.C. 2012-9 recommending the City Council approve the Site Plan and Conditional Use Permit as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Variance and Subdivision

The applicant is requesting approval of a Variance and Major Subdivision. The Planning Commission discussed and requested the following in regards to the Variance and Major Subdivision:

- The findings support granting the variance. The Planning Commission discussed the Findings and recommended that the Council approve the variance request.

The Planning Commission recommends that the City Council approve the WCRRA request for a Variance and Major Subdivision based on the following findings:

Variance Findings:

1. The proposed variance is in harmony with the general purposes of the MX-3 Zoning District and the Comprehensive Plan.
2. The variance request is reasonable because it provides for the safety and comfort of transit users and general welfare.
3. The request is due to the nature of the site and proposed use, and were not created by the landowner.
4. The variance would not alter the essential character of the area.
5. The practical difficulties are based on the site, operational and safety needs, transit user safety and comfort, and not economic factors.
6. The canopy structure will not impair an adequate supply of light and air to adjacent properties, increase congestion on public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood.
7. The variance is the minimum action required to eliminate the practical difficulty.
8. The canopy will not affect direct solar access for solar energy systems.

Major Subdivision Findings:

1. The subdivision is not in conflict with the City’s Comprehensive Plan, Zoning Ordinance, Capital Improvements Program, or other policy or regulation.

2. The physical characteristics of the site are such that the site is physically suitable for the type of development or use contemplated, including topography, vegetation, susceptibility to erosion, susceptibility to flooding, and similar characteristics.
3. The design of the subdivision and the proposed improvements are not likely to cause substantial and irreversible environmental damage.
4. The design of the subdivision and the type of improvements will not be detrimental to the health, safety, or general welfare of the public.
5. The design of the subdivision or the type of improvement will not conflict with easements on record or with easements established by judgment of a court.

Motion by McElwee-Stevens, seconded by Anderson, to approve Resolution No. P.C. 2012-10 recommending the City Council approve the Variance and Major Subdivision as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

The Planning Commission also discussed the street lights for the new road Red Rock Crossing and is recommending that they be the same design as the parking lot for the transit station.

5. COMMISSION AND STAFF REPORTS

No reports

6. NEW BUSINESS

No new business

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

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| 1. City Council Meeting | October 18, 2012 | 5:30 p.m. |
| 2. Buckthorn Removal Day | October 27, 2012 | 9:00 a.m. |
| 3. City Council Meeting | November 1, 2012 | 5:30 p.m. |
| 4. Planning Commission Meeting | November 8, 2012 | 7:00 p.m. |

8. ADJOURNMENT

Motion by McElwee-Stevens, seconded by Anderson, to adjourn the Planning Commission Meeting at 9:18 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Susan Lindoo, Chairperson

Respectfully submitted,

Renee Helm
Executive Analyst