

**Minutes of the June 8, 2010 Jordan Planning Commission/CGO Meeting
6:30 p.m. Jordan City Hall**

Present: Rolf Hafslund, Rob Mishica, Guy Beck, John Levar, Jeanne Marnoff, Mayor Pete Ewals, EDA CGO Liaison Ray Sandey, City Administrator Ed Shukle, Senior Planner Joe Janish, Planning Consultant Joanne Foust of MDG, Inc. (7:15 p.m.) Also present: Seven members of the public.

1.0 Call to order:

The Planning and Zoning Commission meeting was called to order at 6:30 p.m. by Acting Chair Hafslund.

2.0 Adopt Agenda:

Moved by Marnoff seconded by Levar to approve the agenda moving the design review prior to discussion on the strategic plan. Motion Carried 5-0.

3.0 Minutes:

Moved by Levar, seconded by Mishica to approve the minutes of the May 11, 2010 meeting as presented. Motion carried 5-0.

4.0 CGO Discussion:

A. Community Growth Options (CGO) – Highway Commercial Zoning District (This item occurred after the Public Hearings and design review)

Foust provided an overview of the proposed changes to the draft text for the Highway Commercial Zoning District.

The Commission/CGO Committee requested the following:

Section 11.40, Subd. 3, B. Automotive sales be expanded to include passenger cars, trucks and commercial vehicle sales.

Section 11.40, Subd. 3 C 5 addressing outdoor sales and display at gas/convenience stores be expanded to allow fire wood, ice machines, water softener salt and other convenience items typically available at a gas/convenience store.

Section 11.40, Subd. 3 D. be expanded to include ATVs and motorcycles with the boat and trailer retail sales and rental.

Section 11.40, Subd. 7 E. E. Site Layout be expanded to require a sketch plan showing the proposed lot(s), proposed streets, sidewalks and trails and their connectivity to existing and proposed pedestrian systems, the use, density, and relationship to the surrounding land, generalized natural features including topography, significant trees and woods, water bodies and wetlands.

Section 11.40, Subd. 8. Be amended to address “lots” versus “platted lots” for variances.

Section 11.02 DEFINITIONS, for Temporary Outdoor Seasonal Sales be amended to add fireworks.

Commissioner also asked Janish to discuss the outdoor seating conditions with the Police Chief, specifically relating to the landscaping and fencing requirements.

Foust discussed responses to a petition received from several business owners/operators. The Commission requested Foust and Janish to prepare a response.

Moved by Mishica, seconded by Marnoff to call for a public hearing for Tuesday, July 13, 2010 to accept input on amendments to (1) Section 11.40, Highway Commercial zoning regulations including the purpose of the district, permitted, conditional, interim and accessory uses, lot requirements, design and performance standards and variances from the regulations, (2) Section 11.80, Subd. 2 C. Architectural Controls and Building Materials relating to highway commercial buildings; and (3) Section 11.02, Definitions to include a definition for Temporary Outdoor Seasonal Sales. Motion carried 5-0.

5.0 Public Hearings:

A. Public Hearing – Code Amendment to Section 11.24, Townhouse and Multiple Family Residential, Subd. 3 Conditional Uses to allow Assisted Living/Memory Care Facilities in the R3, Multiple Family Zoning district.

Janish provided an overview of the request noting Community Asset Development (CAD) has requested the inclusion of Assisted Living and/or memory care as a conditional use in the R3 District. Janish outlined six recommended conditions. Janish noted that this amendment would apply to any property within the R3 zoning district.

Acting Chair Hafslund opened the public hearing at 6:39 p.m

Andrew Erickson, 701 Bradbury Circle, noted he is not in favor of this project or amendment. The industrial property to the south currently has noise and would not like to see this project along 185th street. Mr. Erickson expressed concerns with traffic and residents walking in the neighborhood.

Lee Theis, 18325 Apple Circle, noted his property is about 50 feet from the proposed project and noted he is in favor of the project and noted he would like to work with the developer to be certain his property is not impacted.

The public hearing was closed at 6:42 p.m.

Moved by Levar, seconded by Beck to recommend to the City Council the amendment of Section 11.24, Subd. 3, G. to include Assisted Living and/or Memory Care as a conditional use in the R3 District with the following six conditions: (1) at least 500 square feet of lot area provided for each patient or bed, (2) At least 50 square feet of outside usable open space be provided for each bed or patient, (3) access to be provided from a collector street, minor arterial, or frontage road and no access closer than 50 feet from an abutting lot line in a RR, R1, R2 or R3 district, (4) off-street parking improvements be provided on site consistent with Section 11.60, Subd. 5 A 6, (5) the facility not house more than two adult residents per bedroom and (6) owner operator provides a copy of current license(s) at time of CUP review (7) requirements of conditional use permits as outlined in Section 11.11, Subd. 4 be met. Motion carried 5-0.

B. Public Hearing – Preliminary Plat - Wexford Square Fourth Addition

Janish provided an overview of the request noting Community Asset Development (CAD) has a purchase agreement to acquire Outlot C Wexford Square. The developer would like to split the outlot into two lots and an outlot. The property is zoned R3 with a planned unit development overlay. Janish noted the site was originally proposed to contain 24 townhomes.

Within the District, minimum lot sizes are 9,000 square feet. The two proposed lots are 61,419 square feet and 63,162 square feet in size, respectively. Janish noted the original plan included

the construction of 24 townhomes. Due to the proposed increased density additional park land dedication is required. The Park and Recreation Commission reviewed the development at their May 24, 2010 meeting and had recommended the City accept cash in lieu of land. They also noted if a trail is constructed on site, it appears to serve an internal function rather than connect to the city system and therefore should be privately owned and maintained.

A letter dated June 3, 2010 from City Engineer Carol Caron was also referenced. Specific requirements relating to stormwater ponding, easements for the 8" water main and for the sanitary sewer main were noted along with requirements to supply information on turning radii, apply for all necessary permits and a revises Sheet C4.1.

Acting Chair Hafslund opened the public hearing at 6:58 p.m.

No comments where provided.

The public hearing was closed at 7:08 p.m.

Moved by Levar, seconded by Marnoff to recommend approval of the preliminary plat for Wexford Square Fourth Addition, which includes Lot 1, Block 1, Lot 2, Block 1 and Outlot A contingent upon the requirements outlined in the City Engineer's letter dated June 3, 2010 relating to stormwater ponding, an easement for the 8" watermain and the sanitary sewer main to cross lot 1 to get to lot 2, AutoCAD files to review turning radii, obtaining necessary permits and a revised Sheet C4.1. Further, it was moved that the replat is approved contingent upon the amendment to Section 11.24, Subd. 3, G. to include Assisted Living and/or Memory Care as a conditional use in the R3 District, the approval of the conditional use permit and site plan for the Wexford Square Fourth Addition, the closing on the purchase of the property by Community Asset Development, and the submittal of a payment in lieu of parkland in the amount of 6.7%. Motion carried 5-0.

C. Public Hearing – Conditional Use Permit and Site Plan for Asset Development – Assisted Living Memory Care.

Janish provided an overview of the project, noting the site for the facility is the proposed Lot 1, Block 1 of Wexford Square Fourth Addition. Janish provided an overview of the required setbacks, off-street parking, grading, signage and architectural controls, noting all appear to meet city zoning requirements. He noted a sign permit would need to be applied for an approved separately.

A letter dated June 3, 2010 from City Engineer Carol Caron, was referenced.

Acting Chair Hafslund opened the public hearing at 7:08 p.m.

Dave Pokorney representing the Developer indicated all of the units would have showers, the business would create 5 to 7 employees, and the current "gardens" within the fenced area is being worked on for the final design for the residents to enjoy. The operator would be Prairie Ridge which is a small operator in the state.

The public hearing was closed at 7:15 p.m.

Moved by Levar, seconded by Mishica to recommend to the City Council approval of the conditional use permit and site plan as requested by Asset Development for an assisted living memory care facility contingent upon the following; (1) City Engineer's review of the grading and drainage plan, (2) review of the need for a retaining wall, (3) provisions for an easement from lots 1 and 2 for water and sewer, (4) approval of the code amendment to Section 11.24, Subd. 3, G. to include Assisted Living and/or Memory Care as a conditional use in the R3 District,(5) the

approval of the plat for Wexford Square Fourth Addition, (6) the closing on the purchase of the property by Community Asset Development, (7) the submittal of a payment in lieu of parkland in the amount of 6.7%, (8) submittal of a letter from Community Asset Development acknowledges the site adjacent is industrial and rural uses and sounds, odors, vibrations may occur due to the existing and future uses. (9) City Engineer reviews grading around trash area and garage to verify that the grading will work. Motion carried 5-0.

6.0 New Business:

A. Design Review 213 Water Street.

Nathan Hanson and Elizabeth Jaspers have submitted an application for design review for improvements in the central business district, as they relate to the Design Standards. They are proposing the installation of two awnings on windows and awnings on front and rear doors and the concrete walk. Janish noted the EDA is supportive of providing a \$2500 matching grant for the project. Color photos and sample awning materials were provided. A striped awning is proposed over the windows with a solid color over the door. It was noted a building permit will also be required.

Moved by Marnoff, seconded by Mishica to approve the architectural colors and design for 213 Water Street as they relate to awnings and the concrete drive within the central business district. Motion carried 5-0.

7.0 Old Business

A. Strategic Planning. Janish referenced a joint meeting which was held between the Planning Commission and City Council to review the draft strategic plan.

Moved by Levar, seconded by Beck to recommend to the City Council the approval of the Planning Commission's Strategic Plan with the identified goals, and action steps with a separate category "Community Education". Motion carried 5-0.

8.0 Planners Report.

Janish welcomed new Planning Commissioner Guy Beck.

9.0 Commissioner Reports.

Levar requested public education regarding pools and rain barrels on decks. Janish indicated he will include it in the City's newsletter.

Mishica reported he has submitted an application for directional signage, to MnDOT.

10.0 Adjournment.

Moved by Mishica seconded by Beck to adjourn the meeting at 9:20 p.m. Motion carried 5-0.

Respectfully Submitted,

Joe Janish

Senior Planner