



**City of Jordan
City Planning Commission
October 13, 2009**

Members Present: Vice Chair Rolf Hafslund; Council Representative Jeanne Marnoff; Rob Mishica; John Watkins, Dawn Benko

Staff Present: Senior Planner Joe Janish; Planning Consultant, Joanne Foust, MDG Inc, City Administrator Ed Shukle, City Engineer Carol Caron.

Others Present: Mayor, Pete Ewals; Ray Sandey; Jim Fink, Margaret Fink, Vanessa Morrell, 1000 Friends of MN (CGO); Barbara Johnston, Pat Johnston, Al Weierke, Joe O'Brien, Terri Knox, Thom Boncher, Lisa Houston, John Pekarna, Myrna Pekarna.

1.0 Call to Order.

Vice Chair Hafslund called the Planning Commission to order at 6:34 pm.

2.0 Adopt Agenda.

Senior Planner Janish noted that it may be appropriate to conduct the Community Growth Options Survey after the new business. Mr. Janish indicated this would move item 4.0 A after item 6.0.

Motion Watkins seconded by Benko to approve agenda as amended. Motion unanimously approved.

3.0 Approval of Minutes.

Motion Benko seconded by Watkins to approve the August 11, 2009 minutes as presented. Motion unanimously approved.

The Planning Commission acknowledged that no meeting occurred on September 17, 2009.

4.0 CGO Discussion.

A. Downtown Discussions.

(This item was discussed after item 6.0 A Site Plan Review-Ridgeview).

Vanessa Morrell, provided a survey to the Planning Commissioners and asked that they complete the survey. The Survey would be used going into the next year of the CGO

program and information collected may indicate a need for some tweaking of the current program.

Morrell also noted that another Randall Arendt planning session on Thurs. October 15, 2009 at 7. p.m. at the Minnetonka Community Center, and a bus tour on Friday, October 16, 2009. Topics would include conservation design.

5.0 Public Hearings.

A. Downtown Design Standards and Central Business District.

Consultant Foust provided a PowerPoint presentation that highlighted the proposed Design Standards and amendments to the Zoning Ordinance, along with areas of concern which had been expressed as part of the August public hearing. Foust also shared results of a survey relating to first floor residential apartments in the downtown.

Vice Chair Hafslund re-opened the public hearing at 6:55 p.m.

Lisa Houston of 116 2nd Street, questioned her ability to use the lower level of her building as a residential unit at this time. It was noted the current ordinance would not allow the entire first floor of a commercial structure to be utilized as a residence.

Terri Knox, 221 Broadway Street S, suggested the Commission consider an ordinance amendment which would allow a residential use if the original use was intended for that purpose, as the Nicolin Mansion was. She noted this particular site has off-street parking for three vehicles.

Senior Planner Janish noted a property owner had asked him to share on his behalf his concern with the implementation of design standards with the current economic times and his desire to allow first floor apartments.

Margaret Fink expressed concerns relating to possible toxic fumes from painting within a building in the downtown area. She encouraged the Commission to consider public health prior to design standards.

Jim Fink, 208 East 1st Street, displayed a can with a label outlining potential side effects from a solution that was being utilized within the structure in the downtown area. Janish noted he had been in contact with the Police Department regarding code enforcement and will again have a conversation with the Police Department in the morning. Foust noted the intent of the ordinance change is to limit industrial uses through interim use permits versus conditional use permits and noted additional health and safety conditions could be added to assist in regulating these businesses.

Mr. Fink also noted that the city should have spent more time at the beginning interviewing property owners one-on-one.

Commissioner Benko thanked the group for the input on the process and inquired how to move forward.

Mr. Fink suggested limiting the design standards to Broadway and Water Street and allow for the program to grow to the other areas as people begin to see the improvements or if they would like to make use of the financial program the City develops.

Lisa Houston inquired if the Commission could backtrack and meet with building owners to explain the design standards.

Vice Chair Hafslund noted the city did provide opportunities for the public input with monthly meetings, a Design Charrette with letters sent home with elementary school children, letters to businesses and posters downtown. Hafslund commented that one-on-one meetings were not held due to the time commitment.

Barbara Johnston, requested the Commission to retain the ability to construct residential units on the back of the first floor of a commercial structure, as currently written in the ordinance.

Al Weierke, Helena Township, indicated he owns several buildings downtown. He also asked the Planning Commission to consider allowing the ability to have a first floor apartment on the back portion of a commercial building. Mr. Weierke noted he did not have concerns over the Design Standards.

With no further comment, the public Hearing was closed at 7:42 p.m.

Commissioners discussed the Zoning Ordinance.

Motion Marnoff, Seconded Watkins to table action on the amendment to the C-2 Zoning Ordinance and direct consulting staff to (1) modify the proposed zoning ordinance to allow for single family residential uses in buildings which were originally designed for that use and constructed on the site in which they exist, (2) amend the language to allow a single family residential unit on the back portion of a commercial building with limitations on the square footage or percent of the building (50%) for this use adding requirements for off-street parking, separate entrances and open space requirements and (3) expand conditions for manufacturing / warehouse interim use permits to address additional health and safety concerns. Motion unanimously approved.

Motion Mishica, Seconded Benko to recommend to the City Council the adoption of the proposed Design Standards Manual. Motion unanimously approved.

B. Replat Request – Native Land Development –Whispering Meadows 2nd Addition.

Senior Planner Janish provided an overview of the replat request. The request consisted of moving a shared property line between lots 7 and 8 of Whispering Meadows by replating the area as lots 1 and 2 Whispering Meadows 2nd Addition. Mr. Janish also noted that the City Council would hold a hearing in regards to vacation of the drainage and utility easements on the current legal descriptions which would then be reestablished with the 2nd Addition in the new and proper locations.

Janish noted that staff is supportive of the replat with the conditions outlined in City Engineer Caron's memo dated October 9, 2009 and also conditional of all bills being current along with City Council approval of the vacation of the drainage and utility easements.

Vice Chair Hafslund opened the hearing at 8:43 p.m.

With no public comment, the hearing was closed at 8:44 p.m.

Commissioners questioned if the lots meet the minimum requirements within the zoning code. Mr. Janish noted that they did in fact meet the minimum requirements. Commissioners also questioned the drainage of the site and City Engineer Caron provided an overview of the storm water drainage to and from the site.

Motion Benko, Seconded by Marnoff to recommend to the City Council approval of the replat of Lots 7 and 8 Block 3 Whispering meadows with the conditions identified by staff. Motion unanimously approved.

6.0 New Business.

A. Site Plan Review – Ridgeview Medical Clinic.

Senior Planner Janish provided an overview for the Medical Clinic Site Plan. The site would consist of a 12,333 square foot Ridgeview Medical Clinic, pharmacy, and possible eye doctor. The building as proposed would meet the current setbacks with the approval of the replat request previously discussed. Janish did note the access to the south would allow for access to adjoining lots with a separate access easement due to the slops on the street frontage. The parking would require 50 stalls and the proposal includes parking for 61 with three being for handicap parking. Mr. Janish noted that the applicant will either need to provide an access easement through the “front” parking lot or alter the “front” parking to meet the setbacks.

Janish also noted the current signage includes two monuments, however code would only allow for one freestanding sign, excluding construction, directional, real estate, political, private warning, or temporary signs shall be permitted on an individual street frontage. Signage will also require a separate permit and will be reviewed again at time of the signage application. Mr. Janish also noted that the signage can not interfere with traffic visibility and this particular site will be allowed a maximum of 500 square feet for the business that is located on this lot only.

Janish noted that staff recommends approval of the site plan contingent upon access easements, the approval of the replat, the vacation of drainage and utility easements, meeting City Engineer Caron’s comments in the memo dated October 9, 2009 along with bills being current.

Dave Pokorney, Community Asset Foundation, approached the Commission and noted they concur with staff recommendations, he noted they would receive funds from the Department of Agriculture which can fund clinics in small towns. They plan to complete grading later this month and break ground on the clinic sometime in November 2009 with expected occupancy in June 2010. Ridgeview plans to sublease space to a pharmacy and eye clinic within the facility.

Commissioner Hafslund inquired about sight lines with the hill and asked if a left turn lane is warranted. City Engineer Caron noted the driveway access meets requirements and noted there are no other practical access points. Caron also noted the project does not generate traffic volumes to require a left turn lane.

Charlie Vig, Owner of the lots discussed grading of the site.

Commissioner Mishica inquired about the encroachment of parking into the setback and expressed concerns with traffic at peak times. Benko concurred noting high traffic volumes during peak times.

Mark Wentzell, 292 design group, addressed questions on the building noting it would be sprinkled and will have a fire access road.

The signage on the site was also discussed. It was noted that at this time only Ridgeview will have a sign. Mr. Pokorney noted that the site will have an easement for a possible joint sign in the future, if the City would allow for such a sign. Janish noted that the City would have to amend the sign ordinance to allow for such a sign or else a PUD maybe sought in the future.

Motion Mishica, Seconded Benko to recommend approval of the site plan for Ridgeview Medical Center contingent upon the conditions outlined by staff. Motion unanimously approved.

7.0 Old Business.

None.

8.0 Planners Report.

Janish noted that a Public Hearing was slated on the agenda for tonight's meeting. However, a resident raised a question that needed to have an answer prior to the Planning Commission action. Janish indicated that staff may be looking for a special meeting or else the item will be on the November meeting schedule.

9.0 Commissioner Report.

Mishica questioned if staff has had a chance to look into highway signage for the downtown business district.

10.0 Adjournment.

Motion, Watkins seconded Mishica to adjourn the Planning Commission meeting at 9:37 p.m. Motion unanimously approved.

Respectfully submitted,

Joe Janish
Senior Planner