



PLANNING COMMISSION AGENDA

Thursday, November 15, 2012

6:30 p.m.

Coon Rapids City Center

Council Chambers

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Approval of Minutes - October 18, 2012

New Business

1. PC12-26 Comprehensive Land Use Plan Amendment, Tim Tronson, 1354 121st Avenue
2. PC12-27 Rezoning, Tim Tronson, 1354 121st Avenue, Low Density Residential 2 to Moderate Density Residential

Other Business

Adjourn



Planning Commission Regular

Meeting Date: 11/15/2012

SUBJECT: Approval of Minutes - October 18, 2012

Attachments

October 18, 2012 Draft Minutes

COON RAPIDS PLANNING COMMISSION MEETING OF OCTOBER 18, 2012

CALL TO ORDER

The regular agenda meeting of the Coon Rapids Planning Commission was called to order by Acting Chair Schwartz at 6:30 p.m.

Members Present: Chairman Donna Naeve, Commissioners Jenny Geisler, Wayne Schwartz, and Julia Stevens.

Members Absent: Commissioners Cedric Lattimore, Jonathan Lipinski and Zachary Stephenson.

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

PLEDGE OF ALLEGIANCE

Acting Chair Schwartz led the Commission in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER GEISLER, TO ADOPT THE AGENDA AMENDING ITEM 3. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF THE SEPTEMBER 20, 2012 REGULAR MINUTES

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER STEVENS, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF SEPTEMBER 20, 2012, AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

1. **PLANNING CASE 12-22 - PEOPLE INCORPORATED – REQUEST FOR A CONDITIONAL USE PERMIT TO EXPAND A RESIDENTIAL FACILITY FROM SIX TO EIGHT RESIDENTS – PUBLIC HEARING**
-

It was noted the applicant is requesting a Conditional Use Permit to expand a residential facility from six to eight residents at 2708 119th Avenue. Residential facilities serving seven or more persons required a conditional use permit. Staff recommended approval with conditions.

Tom Wasmoen, architect representing the applicant, stated the site would be remodeled on the lower level to increase the number of beds in the facility. In addition, the garage would be renovated to add more storage.

Acting Chair Schwartz opened the public hearing at 6:36 p.m.

Terry Lafond, 2709 119th Avenue NW, expressed concern with the parking issues at this site if the number of beds was increased. He questioned the number of police calls made to this site.

Acting Chair Schwartz closed the public hearing at 6:37 p.m.

Jennifer Widel, administrator of the crisis program, stated she was not aware of any concerns with the police department at this location. She explained the location was a mental health crisis residence and the police would only be contacted if a resident was intending to harm themselves or others. However, the staff was trained to manage these situations. Ms. Widel commented the staffing would not increase with the two additional beds. For this reason, there would be no additional parking onsite.

Acting Chair Schwartz asked if the residents were allowed to have vehicles at this location. Ms. Widel stated the residents did not have vehicles.

Commissioner Naeve questioned where the family group counseling sessions took place. Ms. Widel indicated the family group counseling sessions were offered, but rarely held.

Commissioner Naeve asked how many bedrooms the site would have. Ms. Widel indicated the site currently has four bedrooms and two additional bedrooms would be added. It was noted the mobile team would no longer be operating out of this space. She stated the new bedrooms in the basement would have egress windows.

Commissioner Naeve explained it was against City Code for this site to have a mobile team operating out of this facility. She inquired how the garage space would be converted noting the space would have to be available for use. City Attorney Johnson stated this was the case. The area would have to conform to LDR 2 standards and be available for use as a garage. City Planner Harlicker stated the minimum garage standards were 22' x 22'.

Commissioner Geisler questioned if compliance with Title 11 should be added as a condition. City Attorney Johnson suggested this be added as Condition 3.

Mr. Wasmoen commented the garage space was unutilized space at this time and the proposed renovation would allow for the space to be used by the staff for office and storage space. The garage would be insulated and heated to support the needs of the staff.

Commissioner Naeve explained City Code does not allow for the garage requirements to be waived.

Mr. Wasmoen questioned if this could be waived for a group home. City Attorney Johnson stated the Code would stand and the garage space would have to be maintained and kept available for parking per City Code. He indicated this item could be tabled to allow staff and the applicant more time to review this matter.

Community Development Director Nevinski recommended the Commission delay action on this item to allow for the garage concerns to be addressed.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER NAEVE, TO TABLE ACTION ON THIS ITEM UNTIL THE LAST ITEM ON THIS EVENINGS AGENDA. THE MOTION PASSED UNANIMOUSLY.

2. PLANNING CASE 12-24 – SHAMROCK DEVELOPMENT – LAND USE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL TO INDUSTRIAL – PUBLIC HEARING

It was noted the applicant is requesting approval of an amendment to the City's Comprehensive Land Use Plan to change the land use designation from Community Commercial to Industrial for the property located west of Springbrook Drive and 87th Avenue. The site is approximately 5.8 acres in size. Staff discussed the surrounding uses and recommended approval of the land use plan amendment.

Acting Chair Schwartz opened and closed the public hearing at 6:54 p.m., as no one wished to address the Planning Commission.

Commissioner Geisler commented this site has been discussed in the past. She agreed with the comprehensive plan and would not support the land use plan amendment.

Commissioner Naeve agreed with Commissioner Geisler, stating this was spot rezoning and Industrial did not fit this site. She was concerned with access to and from this property if changed to Industrial. She commented she would support a portion of this site being Industrial (not the land adjacent to Springbrook Drive), but not the entire 5.8 acres.

Acting Chair Schwartz agreed with these comments. He did not support the plan as presented.

Jerry Teeson, 2970 122nd Avenue, representing Shamrock Development, commented the Comprehensive Plan was amended last year and this entire property was to be rezoned to Industrial. He preferred to have the whole parcel Industrial and not just a portion.

Commissioner Geisler recalled the parcel being discussed last year as Office and Community Commercial. She did not recall the Commission proposing Industrial at Springbrook Drive.

Commissioner Naeve agreed with this recollection and that Industrial did not belong along Springbrook Drive.

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER STEVENS, TO DENY PLANNING CASE 12-24, THE PROPOSED LAND USE AMENDMENT BASED ON THE FOLLOWING FINDING:

1. THE PROXIMITY OF THE PROPERTY TO SPRINGBROOK DRIVE MAKES IT INCOMPATIBLE WITH AN INDUSTRIAL ZONING.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the November 20, 2012 City Council meeting.

3. PLANNING CASE 12-25 – SHAMROCK DEVELOPMENT – REQUEST FOR ZONE CHANGE FROM COMMUNITY COMMERCIAL TO INDUSTRIAL – PUBLIC HEARING

It was noted the applicant is requesting to change the zoning from Community Commercial to Industrial for the property located west of Springbrook Drive at 87th Avenue. Staff recommended approval of the zone change.

Acting Chair Schwartz opened and closed the public hearing at 6:54 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER NAEVE, TO DENY PLANNING CASE 12-25, THE PROPOSED REZONING BASED ON THE FOLLOWING FINDING:

1. THE REZONING TO INDUSTRIAL WOULD NOT BE CONSISTENT WITH THE COMPREHENSIVE PLAN.
2. INDUSTRIAL ZONING WOULD NOT BE APPROPRIATE FOR THIS PROPERTY.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the November 7, 2012 City Council meeting.

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER GEISLER, TO REMOVE PLANNING CASE 12-22 FROM THE TABLE. THE MOTION PASSED UNANIMOUSLY.

1. PLANNING CASE 12-22 - PEOPLE INCORPORATED – REQUEST FOR A CONDITIONAL USE PERMIT TO EXPAND A RESIDENTIAL FACILITY FROM SIX TO EIGHT RESIDENTS – PUBLIC HEARING

Mr. Wasmoen stated the issue at hand was to have the beds available and a delay was not possible given the timeline from the County. He requested the Commission consider the request without any renovations to the garage. He stated the plans would be made prior to applying for a building permit.

City Attorney Johnson recommended an additional condition for approval to be compliance with the LDR 2 zoning requirements.

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER GEISLER, TO APPROVE PLANNING CASE 12-22, THE CONDITIONAL USE PERMIT FOR AN EIGHT PERSON RESIDENTIAL FACILITY WITH THE FOLLOWING CONDITIONS:

1. ALL NECESSARY BUILDING PERMITS ARE RECEIVED FOR ALL THE REMODELING.
2. ALL STAFF MUST PARK IN THE DRIVEWAY AND OR GARAGE.
3. COMPLIANCE WITH TITLE 11 OF THE CITY CODE AND THE LDR 2 ZONING REQUIREMENTS.

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.

OTHER BUSINESS

Anthony Barbado, 11859 Crocus Street, had comments on the proposed conditional use permit in Planning Case 12-22. City Attorney Johnson recommended Mr. Barbado meet with City Staff regarding his concerns.

ADJOURN

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER STEVENS, TO ADJOURN THE MEETING AT 7:08 P.M. THE MOTION PASSED UNANIMOUSLY.

Recorded and Transcribed by,
Heidi Guenther
Planning Commission Recording Secretary



Planning Commission Regular

1.

Meeting Date: 11/15/2012

Subject: PC12-26 Comprehensive Land Use Plan Amendment, Tim Tronson, 1354 121st Avenue

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting to change the Comprehensive Land Use Plan land use designation from Low Density Residential to Moderate Density Residential.

ACTIONS

Conduct of public hearing
 Recommendation by Planning Commission
 Decision City Council on: December 18, 2012

60 DAY RULE

The applicant submitted this application on: October 8, 2012

To comply with the requirements of Minnesota Statute §15.99, the City extended the 60 day time frame to February 5, 2013

LOCATION

The property is located on the south side of 121st Avenue at the intersection of 121st Avenue and Bluebird Circle.

	Existing Use	Comprehensive Plan	Zoning
Subject Property	Single Family Residence	Low Density Residential	Low Density Residential2 (LDR2)
North	121st Avenue and Townhomes	Moderate Density Residential	Moderate Density Residential (MDR)
South	Townhomes	Moderate Density Residential	Moderate Density Residential (MDR)
East	Stormwater Pond and Townhomes	Park, Recreation and Preserve	Moderate Density Residential (MDR)
West	Single Family Residence	Low Density Residential	Low Density Residential2 (LDR2)

DISCUSSION

Background

The applicant is requesting a change in the land use designation from *Low Density Residential* to *Moderate Density Residential*. The property fronts on 121st Avenue, is five acres in size and contains a house and several outbuildings. There is a drainage ditch that borders the east property line. Approximately 1.5 acres is within the 100 year floodplain according to FEMA flood maps. The area within the floodplain is located in the southeastern

portion of the site, adjacent to the ditch. Areas within a floodplain are difficult to develop because any floodplain filled has to be replaced within the same drainage basin.

Analysis

The description of the *Low Density Residential* land use designation is mostly single family homes with some two family homes and open space within the development at a gross density of 2 to 4 units per acre. The description of the *Moderate Density Residential* designation is generally detached housing including two family homes and townhomes at a gross density of 4 to 7 units per acre.

When considering this change in land use request, the following three factors should be taken into account:

- The subject property fronts a collector street.
- It abuts townhome developments on three sides.
- It is adjacent to single family homes on one side.

The proposed amendment supports the City's Comprehensive Land Use Plan in that it is consistent with the goal of maintaining complete and balanced neighborhoods that include a variety of housing resources, and is consistent with the policy of preserving the integrity of single family neighborhoods by locating higher density residential housing at the fringes of single family neighborhoods and along transit corridors.

A land use designation of *Moderate Density Residential* would be consistent with the adjacent townhome developments and would be compatible with the adjacent single homes to the west. Any additional traffic generated by the development of this site as townhomes could be accommodated by 121st Avenue. No traffic generated by the development of this parcel would have to go through the single family neighborhood to access the site.

This proposed land use amendment would increase the amount of land that is guided *Moderate Density Residential* by five acres, from 986 acres to 991 acres. The proposed amendment would not have a significant impact on the amount of land that is currently designated *Low Density Residential*. It would decrease the amount of land that is currently guided *Low Density Residential* from 6,809 to 6,804 acres.

RECOMMENDATION

In Planning Case 12-26, recommend approval of the proposed amendment to the Comprehensive Land Use Plan based on the following findings:

1. The proposed land use amendment is consistent with the adjacent the townhomes.
2. The proposed amendment would be compatible with the single family homes to the west.
3. The parcel fronts on a collector street that is designed to accommodate any additional traffic generated by a townhome development on this site.

Attachments

Location Map

Land Use Map

Zoning Map

Map of 100 Year Floodplain

Narrative

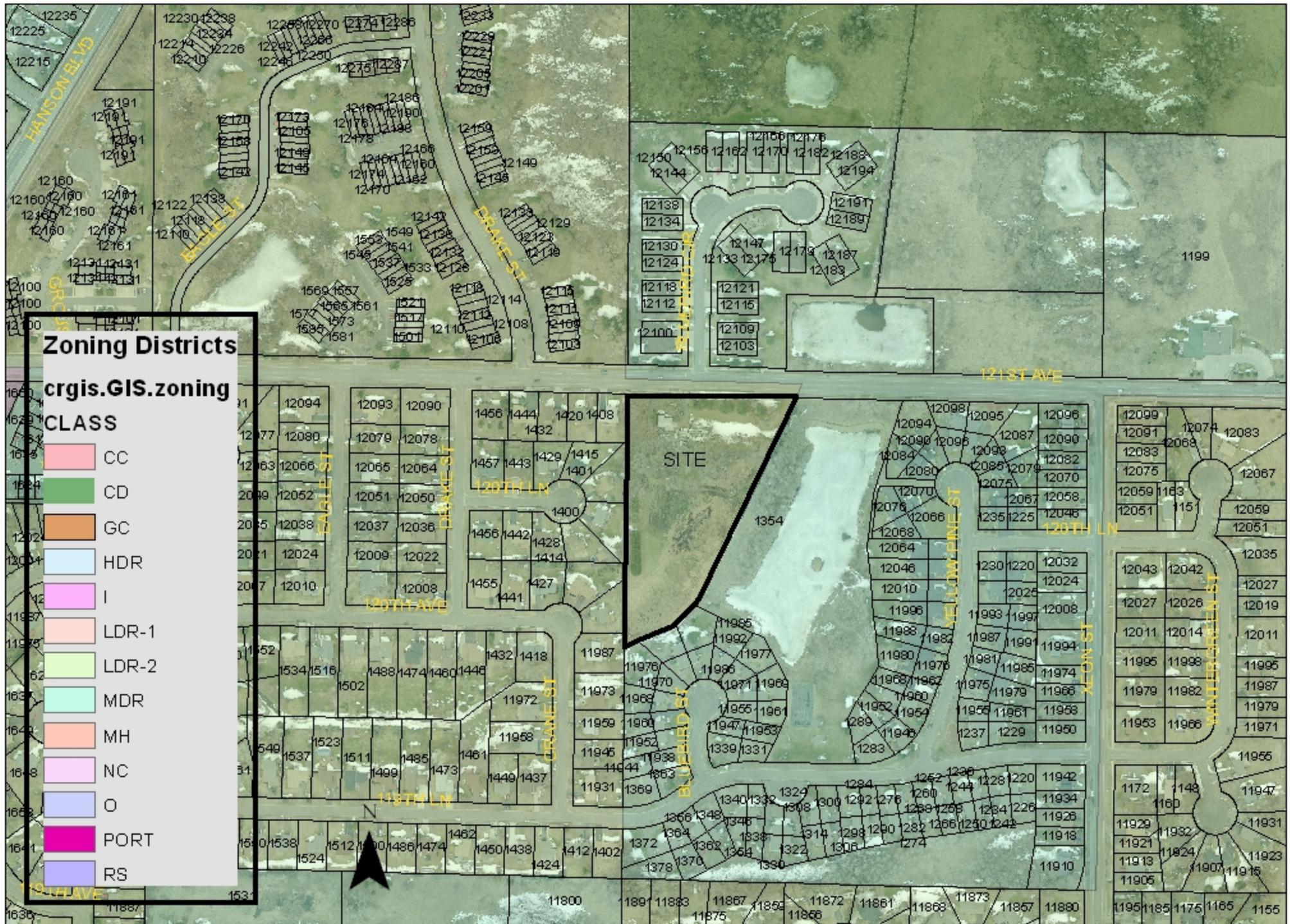
LOCATION MAP



Land Use Map



Zoning Map



Map Showing 100 Year Floodplain



Date: November 7, 2012

To: City of Coon Rapids
Department of Community Development

From: Mr. Timothy Tronson
15416 Nightingale St. NW
Andover, MN 55304

Re: Zoning change and Comprehensive Land use Plan amendment for the (5) acre parcel with the present land use of a single family residence / farm, located at 1354 121st Ave. NW Coon rapids, MN 55448

Subject: Narrative describing how this request for land use change, from Low Density Residential Zone 2 (LCDR-2) to Medium Density (MD) and the subsequent land use plan amendment, meet the finding that the times and conditions have changed to such an extent that the existing land use is no longer reasonably consistent with the Comprehensive Land Use Pan nor future land use objectives.

Narrative: This proposed zoning change request is consistent with the goals, objectives and policies of the existing Comprehensive Land Use Plan and the Future Land Use in the following manner:

- A. By continuing the subdivision of larger parcels of land (5 acres in this case) into more typical suburban sized lots, this action will result in higher density housing which is a stated objective of the comprehensive plan.
- B. Encouragement of higher density development along major collector streets such as 121st Ave. NW, which are presently planned to accommodate the increased utility demands and have the mass transit infrastructure already in place to serve this increased demand is a stated objective of the comprehensive plan.
- C. Also as stated in the cities comprehensive plan, “Existing residential housing densities do not necessarily correspond to access to transportation facilities or the character of the surrounding neighborhood. The future mix of housing types must be determined to ensure proper balance...and access to transportation facilities and preserve the integrity of the existing neighborhood”.

The current land designation, zoning classification and existing land use of the properties within 350 feet are as follows:

1. To the North, West and South of the property are located parcels that are zoned Medium density (MD).

These locations are currently made up of Townhomes to the north and Quadraplexs to the East and the South.

2. To the West of the property is zoned low density residential (LCDR) and is presently made up of detached single family houses on plots of approx. $\frac{1}{4}$ acre in size.

The proposed land use change to medium density is consistent with the surrounding area in that the existing parcel is surrounded on three sides by medium density zoning and could be viewed as somewhat of an island of low density single family residential housing in the middle of more densely developed townhomes on adjacent properties.

With that, the applicant Mr. Tim Tronson respectfully requests that the planning commission consider this request for a change in zoning classification in a favorable light and grant the request.

Thank you,
Mr. Carey Lyons
Architect, LEED AP



Planning Commission Regular

2.

Meeting Date: 11/15/2012

Subject: PC12-27 Rezoning, Tim Tronson, 1354 121st Avenue, Low Density Residential 2 to Moderate Density Residential

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting a zone change for property located at 1354 121st Avenue from Low Density Residential2 (LDR2) to Moderate Density Residential (MDR).

ACTIONS

- Conduct a public hearing
- Recommendation by Planning Commission
- Introduction by City Council on: December 4, 2012

60 DAY RULE

The applicant submitted this application on: October 8, 2012

To comply with the requirements of Minnesota Statute §15.99, the City extended the 60 day time frame to February 5, 2013

LOCATION

The property is located on the south side of 121st Avenue at the intersection of 121st Avenue and Bluebird Circle.

	Existing Use	Comprehensive Plan	Zoning
Subject Property	Single Family Residence	Low Density Residential	Low Density Residential2 (LDR2)
North	121st Avenue and Townhomes	Moderate Density Residential	Moderate Density Residential (MDR)
South	Townhomes	Moderate Density Residential	Moderate Density Residential (MDR)
East	Stormwater Pond and Townhomes	Park, Recreation and Preserve	Moderate Density Residential (MDR)
West	Single Family Residence	Low Density Residential	Low Density Residential2 (LDR2)

DISCUSSION

Background

The applicant is requesting a zone change from Low Density Residential 2 (LDR2) to Moderate Density Residential (MDR). The property is is five acres in size and contains a single family home and several outbuildings.Approximately 1.5 acre is within the 100 year flood plain according to FEMA flood maps.The area within the flood plain is the southeastern portion of the lot, adjacent to the ditch. Areas within a floodplain are

difficult to development because any floodplain filled has to be replaced within the same drainage basin.

Analysis

When considering a request to rezone property, the Commission should evaluate if there was some mistake in the original zoning, or if the character of the neighborhood has changed so that a reasonable use of the property can not be made under the current zoning classification.

Mistake in the Original Zoning

The property has been zoned single family residential since 1976. There has been no change in the zoning since that time. Staff does not believe that there is evidence to support the case that there was a mistake in the original zoning.

Reasonable Use of the Property

The surrounding properties have been developed with a mix of moderate density townhomes and single family residences. This remaining parcel is a triangular shape that does not lend itself to being developed efficiently into single family lots. The flexibility of design with a townhouse development would allow full development of the site that also allows for a buffer with the adjacent single family homes. 121st Avenue is designated a collector street and could accommodate the traffic generated by a townhome development on this site.

The Planning Commission should also give consideration to the evaluation criteria found in Section 11- 307 when making their recommendation on rezoning requests.

Section 11-307 Criteria	Comments
Effect of public health, safety, order, convenience, and general welfare in the area.	OK - The proposed zoning will not adversely impact the area. The property is adjacent to townhouse developments and single family homes.
Effect on present and potential surrounding land uses.	OK – The proposed zoning will not adversely impact the surrounding residential land uses. Future moderate density residential development would serve as an extension of the adjacent townhouse developments.
Conformance with the Comprehensive Land Use Plan.	OK – Assuming the proposed land use amendment is approved, the proposed zone change will be consistent with the City’s Comprehensive Land Use Plan. The proposed land use designation is Moderate Density Residential.
Conformance with any applicable development district.	OK – There is no applicable district plan in this area.

RECOMMENDATION

In Planning Case 12-27, recommend approval of the proposed rezoning based on the following findings:

1. The proposed zone change would be consistent with the Comprehensive Land Use Plan.
2. The proposed zone change is compatible with the surrounding zoning districts and land uses.
3. The proposed zone change would not have an adverse impact on the area.
4. The times and conditions have change and the character of the neighborhood has changed so that a reasonable use of the property can not be made under the current zoning.

Attachments

Location Map

Zoning Map

Land Use Map

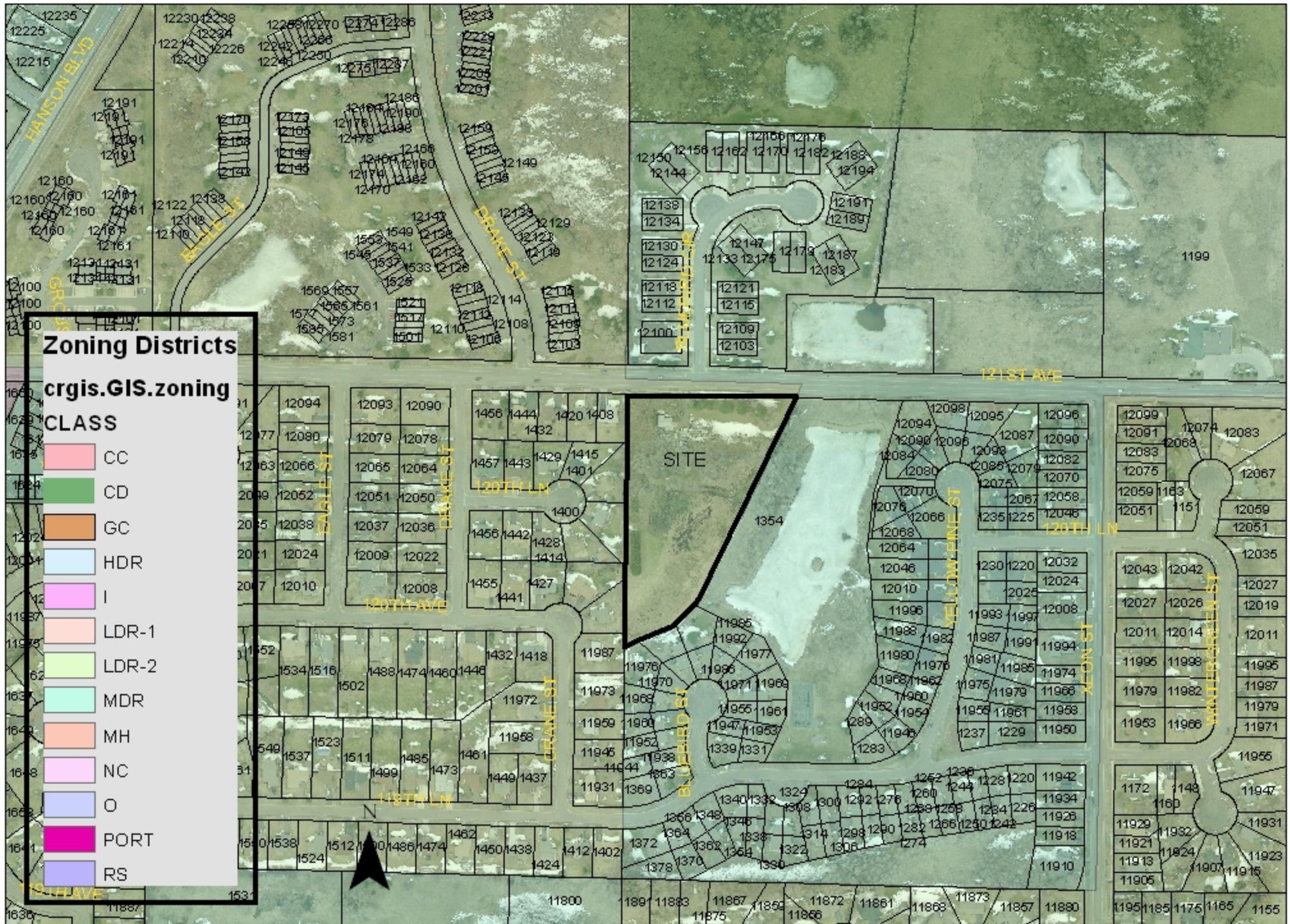
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