

**MINUTES
CITY OF DELANO
PLANNING COMMISSION
Monday, September 8, 2008
7:00 PM**

1. CALL TO ORDER

Leon Zeug, Secretary of the Planning Commission opened the regular meeting of the Delano Planning Commission of Monday, September 8, 2008, at 7:00 p.m.

2. ROLL CALL

Members Present: **Leon Zeug, Commissioner
Lars Impola, Commissioner
Jon Krieg, Commissioner
David Kenison, Commissioner**

Members Absent: **Paul Stansberry, Chairman
Steve Williams Vice Chairman
Howard Glas, Commissioner**

Also Present: **Marlene E. Kittock, City Clerk
Alan Brixius, Northwest Associated Consultants**

3. APPROVAL OF AGENDA

Motion by Lars Impola, seconded by David Kenison to approve the agenda of the Delano Planning Commission of Monday, September 8, 2008 as submitted. Motion Carried 4-0

4. MINUTES

A. Minutes of the Planning Commission for June 9, 2008.

Motion by Jon Krieg, seconded by Lars Impola to approve the minutes of Monday, June 9, 2008, with corrections noted by Jon Krieg. Motion carried 4-0

5. PUBLIC HEARING

A. Consider a request from John Wingard, d/b/a Delano East Shopping Center for the following items:

- 1. Section 51.03. Subd. E. 4. c. 3). To allow parking lot setback closer than five (5) feet from the property line.**

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2. **Section 51.03. Subd. N. 2. i. 3). To allow a freestanding sign structure closer than five (5) feet from the property line.**
3. **Section 51.03. Subd. D. 2. e. 2) e) (1). To allow the light source of an outdoor light fixture closer than ten (10) feet from a street right-of-way.**
4. **Section 51.03. Subd. E. 5. a. To allow a drive aisle less than twenty four (24) feet in width.**
5. **Section 51.03 Subd. E. 5. g. To allow a portion of the parking lot to drain via sheet flow without adding continuous curb and gutter.**
6. **Site and Building Plan Review of the City of Delano's Zoning Code as regulated by Section 51.02 Subd. F.**

Alan Brixius reviewed his report dated September 3, 2008 regarding the application from John Wingard, owner of the Delano East Shopping Mall, for site plan review and variances to the City parking standards, signage, lighting, and setbacks. The property is zoned B-2, General Business and measures approximately 2.57 acres, located at 600 Babcock Boulevard West. Formal application was originally made in February 2008, but was incomplete at that time. City staff directed the applicant to submit additional sign plan variance requests, certificate of survey, wetland delineation, shared parking easements and modifications to curbing and lighting.

This parking lot project is in response to the Minnesota Department of Transportations (MnDOT) reconstruction of Highway 12. As a result of the reconstruction, MnDOT new Right-of-Way (ROW) alignment causes the property owner to reconfigure their parking lot.

According to the submitted plans, the applicant proposes to reconstruct their parking lot south of the existing shipping center. The application indicates that sixty-three (63) parking stalls will be available in this location. An additional forty-one (41) stalls have been proposed behind the shopping center. The total number of proposed parking stalls for this property is one hundred and four (104).

The site circulation has been redefined due to the new MnDOT ROW. Two curb cuts, centered on the east and west property lines have been proposed to access the site. The existing curb cut width must be coordinated with the property owner to the east. These curb cuts are subject to the review and approval by MnDOT

The submitted plan proposes to reconfigure the existing parking lot south of the shopping center and add parking along the northern side of the shopping center. The application

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indicates that one hundred four (104) parking stalls have been provided. Zoning Ordinance requires shopping centers of this size to provide one hundred two parking stalls. The proposed shopping center parking lot exceeds Ordinance standards by two stalls. All parking stalls must be striped and are condition of project approval.

Four stalls have been designated as ADA compliant with two van accessible aisles. For a parking lot of this size, ADA guidelines require five (5) ADA stalls with one van accessible aisle. A revised site plan indicating compliance with the ADA guidelines is required, subject to review and approval by the City.

The parking stall dimensions provided in the parking area south of the shopping center are ten (10) feet wide by eighteen (18) feet in length. The north side parking stall dimensions are nine (9) feet by eighteen (18) feet. Zoning Ordinance requires ninety degree parking to be nine (9) by eighteen (18) with a twenty four (24) foot drive aisle. The drive aisle along the east side of the building is only twenty feet wide. The City requires twenty four feet for two-way traffic. The site survey also indicates gravel extending into the property adjacent to the east, with an ingress/egress easement in place. The east drive aisle should be widened as required by City Ordinance to twenty four feet wide. This wider drive aisle should help with truck movements, fire protection and circulation between the north and south parking lots.

Due to the size of the parking lot and the property/building configuration, there is not enough space to provide internal parking lot landscaping. However, a wetland buffer should be provided to the east and north. The existing wooded vegetation at the northern edge of the parking lot should also be preserved to maintain screening of the shopping center to the residential neighborhood to the north.

The proposed parking drive aisles measure both twenty four (24) feet wide and twenty and one half (20 ½) feet wide. The southern most drive aisle creates maneuvering issues for the parking stalls they service. The wider ten (10) foot wide stall will help; however, additional drive aisle width is needed. Zoning Ordinance requires a twenty three (23) ft drive aisle. Due to the constraints of the property configuration; City staff recommends that the two drive aisles south of the shopping center be provided at 22 feet in width, thus a variance is required.

According to Zoning Ordinance requirements, parking lots must have continuous concrete perimeter curb barrier around the entire parking lot. According to the City Engineer, this project would be best served if the northern edge of the parking lot, behind the shopping center, let water sheet flow to the north without a curb and gutter - a variance is required.

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It appears that the sign location and street lights are proposed in close proximity to existing underground utilities. The applicant must adhere to the following conditions: 1) the gas company must approve encroachment into the easement; 2) applicant must contact Gopher State One call to identify locations of underground utilities and verify with the Delano Public Utilities, 3) developer is responsible for relocation of any public utilities.

The freestanding pole sign contains signage space for four tenants and is located on the property. The sign face will not protrude closer than one foot from the property line. The sign face measures 95.04 sq ft of which 100 square feet is allowed. The signs' height measures 27 feet which 30 square feet is allowed. According to the Zoning Code no sign base or pole shall be located within five feet for any property line. The application indicates that the freestanding pole will be three feet from the front yard thus requiring a variance.

The proposed site plan shows the location of new street lights, however no lighting detail has been provided. All lighting must be ninety degree cut off lighting. As a condition of project approval, lighting details and photometric plan are required. The zoning ordinance states that lighting must not be located closer than ten feet from the property line the proposed application indicates new parking lights approximately three feet from the front yard property thus a variance is required.

The application has not indicated the location and details of the trash enclosure. As condition of project the applicant must submit the trash enclosure details and location, subject to the review and approval by the City.

The grading and drainage is subject to the review and approval by the City Engineer.

The following south front yard setback hardships demonstrated by the applicant are: 1) Highway 12 reconstruction has required new MnDOT TOW. The acquisition of new ROW limits the available space for off street parking. 2) Wetland and site grade limit available area for parking on the site to the proposed location.

The City Engineer's report dated September 5, 2008 was available for Planning Commission review.

The wetland delineation indicated that work is proposed within the limits of the wetlands.

Site plan conditions where noted by the City Engineer as follows: Assure cross easements are in place, coordination with the property owner to east for site access with one shared access for both property owners. The same adjacent property owner was required to construct three additional parking stalls "below the hill" It would be efficient for all parties

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to construct these stalls in conjunction with the proposed mall site improvements. The applicant submitted a letter dated 4-22-08 requesting preservation of a drain tile and this drain tile should be maintained. The adjacent property owner was also required to construct a sediment catchment at the storm water discharge point prior to the wetland. This should be coordinated with water quality improvement required for this project also.

Curb and gutter along the easterly and northerly edges of pavement would not be contributing to existing and proposed drainage patterns. Storm sewer does not currently exist on the property nor is storm sewer proposed. In lieu of the B6 type curb and gutter an acceptable alternative would be a ribbon curb. This will protect the edge of pavement and allow sheet drainage over the edge of the parking lot.

The northern limits of the pavements shall be adjusted to accommodate truck movements.

Cross easements must be verified with the property owner to the west.

The submitted drainage calculations are incomplete. Completed drainage calculation need to be submitted for review and approval of the City Engineer.

The site drainage relies on the drainage ditch along the north property line. This ditch must be cleaned to maintain flow through the property; the applicant is required to do this. The proposed improvements do not include any water quality improvements. Due to the increased bituminous area water quality improvements are required. It is recommended that vegetate swale be considered along the north and east side of the bituminous areas. This swale could detain and filter runoff prior to discharge to the main ditch along the north property line.

Staff recommends variance approvals for drive aisle width, continuous curbing, and to allow from yard parking lot, lighting, and sign setback encroachments due to the reconstruction of Highway 12. This would be subject to the review and approval of the terms and conditions stated in the Planners Report dated September 3, 2008 and the Engineer's Report dated September 5, 2008.

Jon Krieg questioned the lighting plan and suggested additional downcast lighting off of the building.

Jon Krieg stated his acceptance of the twenty (20) foot drive aisles contingent upon the fire department approval.

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Jon Krieg suggested a seventy-five (75) degree parking stall and losing a couple of spaces. Alan Brixius stated that this possible and would require another variance approval. There is an extra foot of maneuvering ability within the stall instead of within the drive aisle. Alan Brixius is comfortable with this arrangement.

John Wingard Jr. addressed the commission regarding the applications subsequent and recommendation. It is his preference for straight drive in parking stalls verses angled. Larger drive aisle would make the site turning very tight. The light pole design will be from the same vendor that the City and MnDOT has used for the reconstruction project. He has received the designs from the local vendor Gayland Hayes. It was suggested that the light pole and sign pole be raised on a concrete pole to avoid cars hitting them. Moving the light poles and sign pole back outside of the setback area just was not practical and may result in loss of additional parking stalls. They will be in contact with the adjoining property owners for joint access drive points and easements verifications.

Motion by David Kenison, seconded by Lars Impola to open the public hearing to consider request from John Wingard, d/b/a Delano East Shopping Center for the following items: 1 Section 51.03. Subd. E. 4. c. 3). To allow parking lot setback closer than five (5) feet from the .property line. Section 51.03. Subd. N. 2. i. 3). To allow a freestanding sign structure closer than five (5) feet from the property line, 3. Section 51.03. Subd. D. 2. e. 2) e) (1). To allow the light source of an outdoor light fixture closer than ten (10) feet from a street right-of-way, 4. Section 51.03. Subd. E. 5. a. To allow a drive aisle less than twenty four (24) feet in width, 5. Section 51.03 Subd. E. 5. g. To allow a portion of the parking lot to drain via sheet flow without adding continuous curb and gutter. 6. Site and Building Plan Review of the City of Delano's Zoning Code as regulated by Section 51.02 Subd. F. Motion Carried 4-0.

Steve Johnson, owner of Delano Printing, and tenant at Delano West Shopping Center stated that there are 8 tenants in the building who had placed signage on the pole monument signage. The ordinance only allows for four. Who will get the four spaces? Alan Brixius suggested that a variance to the PUD for Delano Crossing and Delano West Crossing was made to allow for 5 tenants to be signed on the Area Identification sign. Staff would recommend being consistent and allow up to 5 tenants to be on the pole sign. Each business would be allowed wall signage up to the 15 % total wall signage.

John Wingard Senior question the ditch cleaning as it may cause some loss of the trees along the ditch which currently provides some screening from the residential neighborhood to the south. It also provides some sound barrier from the larger truck deliveries. Alan Brixius stated staff noted the ditch needs to be cleared for storm water drainage purposes and this may be accomplished without total removal of the all the trees and shrubs. John Wingard

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Senior also stated that this line of trees and grass also provide an ecological value for storm water runoff quality.

Jon Krieg reiterated that the city has a tree preservation plan but the ditch needs to function correctly also. The applicant should meet on site with the City Engineer and discuss the ditch cleaning process to insure it is cleaned yet minimal damage to the roots of the trees and shrubs.

**Motion by Jon Krieg, seconded by David Kenison to close the public hearing.
Motion Carried 4-0**

Leon Zeug called for public comments three times. None was heard.

Motion by David Kenison, seconded by Lars Impola, to recommend approval of the request from John Wingard, d/b/a Delano East Shopping Center for the following items: 1 Section 51.03. Subd. E. 4. c. 3). To allow parking lot setback closer than five (5) feet from the .property line. Section 51.03. Subd. N. 2. i. 3). To allow a freestanding sign structure closer than five (5) feet from the property line, 3. Section 51.03. Subd. D. 2. e. 2) e) (1). To allow the light source of an outdoor light fixture closer than ten (10) feet from a street right-of-way, 4. Section 51.03. Subd. E. 5. a. To allow a drive aisle less than twenty four (24) feet in width, 5. Section 51.03 Subd. E. 5. g. To allow a portion of the parking lot to drain via sheet flow without adding continuous curb and gutter. 6. Site and Building Plan Review of the City of Delano's Zoning Code as regulated by Section 51.02 Subd. F., subject to the Planners report dated September 3, 2008 and the City Engineers report dated September 5, 2008, with a modification to 5E changing the word "must" to "may" be 24 feet, and to elevate the light and sign pole on concrete pillars to protect these fixtures for vehicle damage. Motion Carried 4-0

6. NEW BUSINESS

There was none.

7. OLD BUSINESS

There was none.

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8. UPDATES AND FUTURE LAND USE DEVELOPMENT APPLICATIONS

There was none.

9. COMPLIANCE WITH COMPREHENSIVE PLAN

There was none.

10. ADJOURNMENT

There being no further business to discuss the Regular Meeting of the Delano Planning Commission of Monday, September 4, 2008, was adjourned at 7:47 p.m.

Motion by Jon Krieg, seconded by Leon Zeug to adjourn the Regular Meeting of the Delano Planning Commission of Monday, September 4, 2008.

Paul Stansberry, Chairman

Leon Zeug, Secretary, Secretary

ATTEST:

Marlene E. Kittock, City Clerk