

**Minutes  
CITY OF DELANO  
PLANNING COMMISSION  
Monday, April 11, 2011  
7:00 PM**

**1. CALL TO ORDER**

The Chairman, Jon Krieg, called the regular meeting of the Delano Planning Commission of April 11, 2011, to order at 7:00 p.m.

**2. ROLL CALL**

All present:           Jon Krieg, Chairman  
                          Leon Zeug, Vice Chairman  
                          John Beussman, Secretary (Tardy 5 minutes)  
                          Amy Johnson, Commissioner  
                          Howard Glas, Commissioner  
                          Lars Impola, Commissioner  
                          Sarah Beamish, Commissioner

Also Present:         Alan Brixius, City Planner, Northwest Associated Consultants  
                          Scott Dornfeld, Building Official  
                          Dale Graunke, Mayor and City Council Liaison  
                          Marlene E. Kittock, City Clerk

**3. APPROVAL OF AGENDA**

**Motion by Lars Impola, seconded by Amy Johnson to approve the agenda of the Regular meeting of the Delano Planning Commission as submitted. Motion Carried 7-0**

**4. MINUTES**

**A. Minutes from March 14, 2011 meeting.**

**Motion by Howard Glas, seconded by Jon Krieg approved the minutes from the Delano Planning Commission meeting of March 14, 2011 pending typographical errors. Motion Carried 7-0**

**5. PUBLIC HEARING**

**A. Public Hearing request from Randy and Sandy Roskowiak and Ebert Construction and Vocational Energy for a transfer station and for multiple principal structures located on one site in accordance with the City Zoning and Land Use Code Section 51.02, Subd. J and for a Site**

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**and Building Plan Review for construction of a CNG Fueling Station in accordance with the City's Zoning and Land Use Code Section 51.02, Subd. F for property located at 4351 US Highway 12 SE Blvd E, Delano MN, legally described as 107-500-112201, 107-500-023303 and 107-500-023302.**

Alan Brixius reviewed the request from Randy's Sanitation located at 4351 U S Highway 12 SE, for a PUD amendment of two new site modifications 1) the 7000 square foot expansion of the transfer station in the northwest corner of the lot to accommodate single sort recycling collection, and 2) the installation of an on-site natural gas filling area thereby shifting the truck fleet from diesel to natural gas on the eastern portion of the site. The parcel was annexed into the city in 2005. Later that same year the City approved a Conditional Use Plan for a unit development of a recycling center/transfer station and refuse/garbage disposal center for the site.

The site is zoned I-2 General Industrial and has been approved via a conditional use permit. Brixius also noted that the applicant has complied with past CUP's approvals.

Both the existing and proposed expansion of the transfer station and CNC fueling station meet setbacks. The site access is not proposed to be altered and the proposed building addition and gas filling station do not interrupt existing traffic lanes.

The previous approved site plan indicated 189 parking stalls which is more than required.

The proposed building addition and filling station are located within areas of existing pavement thus the amount of impervious surface on the site is not being increased over existing conditions. The in-place stormwater system is adequate to accommodate the proposed improvement. The site will be monitored during construction to insure in-place erosion control measures are present to prevent runoff into the adjoining wetlands.

The proposed building will be constructed of pre-cast wall panels with exposed aggregate finished. The exterior finishes and color match the existing building. The building height meets the city standards.

The equipment for the filling station is enclosed within cabinets and the entire site is secured with a fence and gate to prevent unauthorized access. Bollards are located around the south and west end of the equipment to prevent vehicles from hitting them. All natural gas equipment and storage shall comply with applicable Fire and Building Code requirements.

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Staff recommends approval pending the installation of erosion control measures during construction, review and comments of the City Engineer, and compliance with all applicable Fire and Building Code requirements.

**Motion by Howard Glas, seconded by Leon Zeug to open the public hearing to consider the request of Randy and Sandy Roskowiak and Ebert Construction and Vocational Energy for a transfer station and for multiple principal structures located on one site in accordance with the City Zoning and Land Use Code Section 51.02, Subd. J and for a Site and Building Plan Review for construction of a CNG Fueling Station in accordance with the City's Zoning and Land Use Code Section 51.02, Subd. F for property located at 4351 US Highway 12 SE Blvd E, Delano MN, legally described as 107-500-112201, 107-500-023303 and 107-500-023302. Motion Carried 7-0**

Larry Shrode of 6236 Ehler Avenue stated that he, his brother and sister own the parcel across the highway, they are inquiring on behalf of the family how much would the setback change the south property lines. Alan Brixius stated that the setback for the addition remains unchanged.

Leland Shrode of 512 2nd St. N., owns the property across the Highway 12 from Randy's, expressed concerns regarding the stormwater runoff unto the low laying swamps area of his land and then into Ditch 34. Alan Brixius explained that the Ditch 34 is in Franklin Township thus governed by the Soil and Water District of Wright County. The improvements that are being proposed are located within areas that are current paved and 100% impervious. So the amount of storm water runoff will be the same today as it will be when the improvements are completed. Alan Brixius stated that there is a County hearing scheduled for May 10<sup>th</sup> at 10:00 am to discuss access fees for dumping storm water into the County Ditch #34.

Alan Brixius stated that the County is conducting a feasibility study that does not inhibit the adjoining property owners with storm water runoff rates greater than what exists today. The direction that the water flows will remain the same. The City has been actively working with the County to assure that the best solution for the County, City, Township, and property is achieved.

Richard Brenner of 3244 – 72<sup>nd</sup> St. SE, expressed concerns regarding the lighting on the rear of the building. He has complained to the City in the past years; Staff indicated that previous complaints have been addressed, however this will be reviewed again and the City will insure that any lighting on the rear of the building that does not meet the 90 degree cutoff down cast light will be replace with a code standard light fixture.

The Chairman called for additional comments three times.

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There were no more comments heard.

**Motion by John Beussman, seconded by Amy Johnson to close the public hearing.  
Motion Carried 7-0**

**Motion by John Beussman, seconded by Howard Glas approve the request of Randy and Sandy Roskowiak and Ebert Construction and Vocational Energy for a transfer station and for multiple principal structures located on one site in accordance with the City Zoning and Land Use Code Section 51.02, Subd. J and for a Site and Building Plan Review for construction of a CNG Fueling Station in accordance with the City's Zoning and Land Use Code Section 51.02, Subd. F for property located at 4351 US Highway 12 SE Blvd E, Delano MN, legally described as 107-500-112201, 107-500-023303 and 107-500-023302 conditioned upon the planners report dated April 6, 2011 with the addition of that one exterior lighting on the building or the site be modified to ensure compliance with city code regarding 90 degree cutoff down cast light. Motion Carried 7-0.**

**6. NEW BUSINESS**

- A. Wright Neighborhoods LLC is requesting the Planning Commission to review and comment on a proposed concept plan that changes in land use and PUD design from the original platted Delano Crossings 5<sup>th</sup> Addition approved in 2005. The plan proposes to locate a senior cooperative multiple family building and a market rate family multiple family building within this proposed development; no formal action is required at this time.**

Alan Brixius reviewed the request for a concept review from Will Hack doing business as Wright Neighborhoods LLC. Will Hack is proposing to acquire the remaining lots within the undeveloped areas of Delano Crossing 4<sup>th</sup> and 5<sup>th</sup> Additions which is known as Bright Keys. In 2001 the City approved rezoning, a preliminary plat, and a conditional use permit/planned unit development for a 112 unit townhouse development. This subdivision was final platted in phases. Most of the 2<sup>nd</sup> and 4<sup>th</sup> Additions have been developed; the 5<sup>th</sup> Addition only has streets and utilities completed. The applicant is seeking a change in land use and PUD design from the original approvals and has submitted a concept plan to gain feedback whether to pursue future development applications. The concept plan allows for the Planning Commission and City Council to provide preliminary comments on a proposed plan but does not constitute any formal action.

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The applicant's concept plan proposes two changes: (1) the townhome units along the north side of the road have been changed from an eight unit home to two four unit quads per building pad; (2) the applicant is also proposing two three-stories 30 unit multi-family buildings on the east end of the road.

Building A is proposed to be a senior housing cooperative; this unit would be constructed by Realife Inc., the cooperative of a form of multiple-family ownership. The building and land are owned by the cooperative corporation and the residents would be shareholders in the cooperative corporation. The property would be age restricted; to qualify as elderly housing the Delano Ordinance requires 80 percent of the building residents be older than 55 years.

Building B occupancy has not yet been defined; however it may be a market rate family apartment building.

The proposed changes are modifications of the original PUD design and the introduction of the multiple family buildings is a change in land use for this area. If this development progresses, the following development applications will be necessary, a comprehensive Plan Amendment, rezoning of the multiple family sites from R-6 to R-8, an amendment to the CUP/PUD, and a preliminary and final plat to create new lot configurations.

The proposed action will need to follow the standard City review when considering land use or zoning change. The proposal must prove that it can be accommodated with existing public services such as sanitary sewer, water, storm sewer, electric etc. Traffic generation by the proposal must be within the capabilities of the streets serving the property.

The City's Comprehensive Plan policies encourage the provision of addressing the changing needs of City residents and affordable housing alternatives. This need must be evaluated against size, location, design to insure compatible and functional land use patterns.

The proposed townhomes and apartments will be accessed via private drives extending from Crossings Court. The concern is the higher density units are located at the end of this single access street thus a higher level of traffic would be moving through the townhome area to access St. Peter Avenue. Staff is recommending that the street be posted one-way and no parking except in designated parking areas.

The high density land use would be supported by the adjoining commercial land use and zoning. Staff's concerns are that this neighborhood is isolated by wetlands and St. Peter Street and a public safety concern is having a single entrance from St. Peter and being located at the east end of Crossings Court. The isolated location of Building B does not afford the land area requirement to accommodate a market rate apartment building. The age restricted cooperative meets the required density. The concept plan raises concerns for

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setbacks, Building A has a set back 20 feet from the curb line and the required setback must be measured from the street right-of-way. Building A is proposed to be 10 feet from the east lot line so a redesign of this building will be required. The adjoining Outlot A, Delano Crossing 3<sup>rd</sup> Addition contains a wetland/ponding area and buffers that should not be encroached upon.

Building B is set back only 20 feet from the back of curb and will need to be move back 25 feet from street right-of-of-way. Building B is anticipated to be a 30-unit two story market rate family apartment. This will generate an above average age restricted unit. This building is intended to be accessed via a private dead-end drive. This design is unacceptable with regard to access, parking, and fire protection. The concept plan proposes underground parking and some surface parking. Fourteen surface stalls are located in Outlot A and the Crossings Court right-of-way. If this project moves ahead, the multiple family building will require 2 1/4 spaces per unit and the elderly housing will require 1 space per unit.

The proposed apartment building will be 3 stories with underground parking. The underground parking is a significant amenity that is encouraged however, in order to provide this, some of the parking structures may need to be above grade due to the proximity of the wetlands and thus adding height to the building. Additional issues regarding setbacks, relationship with the townhomes and fire protection occur if the building height exceeds city standards.

With Building B being proposed to be a multi-family structure the need for a park and playground is then raised. Building B is proposed to occupy the location previously proposed for a playground. A new park/playground must be identified. The applicant suggests that this may be accommodated within Outlot A at the center of the Crossings Court loop. This may be acceptable under these conditions, sufficient area reserved for snow storage, one-way traffic pattern, and the play area will need to be fenced in and gated to define access points and street crossings.

Will Hack and Ed Briesemeister thank the Commission for considering this concept plan. They informed the Commission that their preliminary research indicates that elderly housing and market rate workforce type housing is what is needed in the Delano area. Brixius confirmed that through his experiences, industrial park tenants have expressed concerns in housing needs for their work force.

Lars Impola inquired as to when the proposed projects may start construction. Will Hack replied that the senior building is a year out and the multi-family would be after that; formal market studies will also need to be completed.

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Jon Krieg inquired as to the Crossing Court width and wondered if it could be widened. Brixius stated that the right-of-way is 50 feet with a 25 foot paved surface; his concern is regarding emergency access. Widening it would take some investigation.

Howard Glas agreed that a possible solution would be to move the market rate apartment closer to St. Peter Avenue and then creating an access road to Crossing Way

Alan Brixius stated that the Fire Chief, Bob VanLith recommended the one way street concept.

Ed Briesemeister indicated that the one street concept did not work in a previous neighborhood that he lived in, especially when the neighborhood is vacant.

John Beussman questioned why there would be a need for a comprehensive plan amendment, why wasn't this area zoned as multi-family. Alan Brixius stated that the wetlands provided a natural barrier between the townhomes and the apartment style buildings and had not anticipated a mixed use for this area.

The Commission inquired if the other buildings along St. Peter are at full capacity. Brixius stated that this area is a good location due to its proximity to the grocery store, banks and other neighborhoods.

Ed Briesemeister indicated that the formal market study will be based on the outcome of the recommendation and suggestions of the Planning Commission and City Council.

John Beussman indicated his approval of the market rate apartments being closer to St. Peter Avenue and not in the back corner.

Amy Johnson stated she preferred that Building B be closer to St. Peter Avenue as well.

John Beussman and Jon Krieg agreed with the points within the Planners Report; suggesting more investigation be given to the one-way traffic concern.

Lars Impola indicated his concern about one way traffic, fire and public safety access issues.

Howard Glas is pleased with the concept and felt the applicants are right on track.

## **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, April 11, 2011, was adjourned.

**Motion by John Beussman seconded by Jon Krieg to adjourn the regular meeting of the Delano Planning Commission meeting of Monday, April 11, 2011 at 8:09 pm.**

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**Jon Krieg, Chairman**

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**John Beussman Secretary**

**Attest:**

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**Marlene E. Kittock, City Clerk**