

Approved Minutes Planning Commission Meeting March 4, 2020

Chair Anderson called a Meeting of the Plymouth Planning Commission to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on March 4, 2020.

COMMISSIONERS PRESENT: Chair Marc Anderson, Commissioners Bryan Oakley, Donovan Saba, David Witte, Justin Markell, and Michael Boo

COMMISSIONERS ABSENT:

STAFF PRESENT: Planning Manager Barbara Thomson, Senior Planner Shawn Drill, and Senior Engineering Technician Trevor Quast

OTHERS PRESENT: Councilmember Ned Carroll

Chair Anderson led the Pledge of Allegiance.

Plymouth Forum

Chair Anderson introduced Sara Bidler, 6065 Kirkwood Lane, who stated that she recently moved to the city and applied for a home occupation permit. She explained that she works part-time and has a part-time private practice as a marriage and family therapist, explaining that she would like to see some clients out of her home. She noted that some of her neighbors have expressed concern, and therefore she wanted to explain more about her practice. She stated that a majority of her clients experience a sensitivity to sounds, mainly chewing sounds. She stated a comment was made that her clients would be a threat to the neighborhood, but explained that misunderstanding. She stated that her clients are high functioning individuals that have the ability to pay out of pocket for visits. She noted that she previously had a shared office to which she recently lost access. She stated she does have the ability to screen clients at a location prior to them visiting her home. She stated she would plan to see two to three clients per day from her home, which is not a significant amount of traffic. She stated she followed all the necessary steps and completed her due diligence prior to selecting this home. She said she hopes the commission will consider this information.

Planning Manager Thomson stated that because there were concerns from the neighbors, the commission will be reviewing the application prior to review and action by the City Council.

Approval of Agenda

Motion was made by Commissioner Markell, and seconded by Commissioner Oakley, to approve the agenda. With all members voting in favor, the motion carried.

Consent Agenda

Motion was made by Commissioner Boo, and seconded by Commissioner Witte, to adopt the Consent Agenda, that included the following item:

(4.01) Planning Commission minutes from meeting held on February 19, 2020.

With all members voting in favor, the motion carried.

Public Hearings

(5.01) Public hearing on PUD amendment for Access Development, LLC for a 61-unit apartment building to be located at 11229 State Highway 55. (2019099)

Commissioner Markell recused himself.

Senior Planner Drill reviewed the staff report.

Commissioner Saba asked for details on the shared parking and whether that would be signed.

Senior Planner Drill provided additional details on the shared parking that would be available, but would not be signed. He noted that the senior living facility does have an overflow parking plan for larger events through an agreement with the neighboring church property.

Chair Anderson asked if staff has observed the site to determine if there is sufficient/excess parking currently.

Senior Planner Drill replied that staff has monitored the site periodically. He stated there is a lot of drive-thru traffic for Starbucks in the morning, but there are spaces that remain unused.

Commissioner Oakley stated he recalled that the concern was with potential parking problems on Sunday afternoons for the senior facility.

Senior Planner Drill stated he has not observed the site during that time. He commented that he believed the concern was on Sunday holidays, such as Mother's Day. He noted that on busy holidays the senior housing facility buses visitors from a remote parking area.

Commissioner Witte asked if staff is satisfied that the issues raised in the conditions could be met.

Senior Planner Drill confirmed he is confident that all the conditions would be captured throughout this process and the building permit process.

Commissioner Witte asked if there has been discussion about putting signage on the building because of the limited size of the lot.

Senior Planner Drill noted that has not been a discussion and identified a potential location for a freestanding sign.

Commissioner Boo referenced the tightness of the parking related to the street and asked if staff would review the snow removal plan to ensure there are not issues.

Senior Planner Drill confirmed that a snow removal plan was required for this application because of that reason. He stated there are areas to the south on the site that could be used for snow storage.

Commissioner Boo asked if the watershed has reviewed the plan for runoff or whether that would occur following this review.

Senior Engineer Technician Quast replied that the watershed review is completed after the city review process. He explained how the watershed would compare this request to its rules.

Commissioner Boo stated there are wetlands on this site and hoped that staff takes into account that the current expectations for rainfall may exceed the current regulations.

Senior Planner Drill comment d that some of the watershed districts will not accept applications until the applicant has gained approval from the city's planning commission.

Commissioner Witte asked if there has been input from the owner of The Waters.

Senior Planner Drill commented that staff has not received input from that property owner.

Chair Anderson introduced Jamie Thelen, representing the applicant, who stated they believe this is a great location for this use due to the proximity to the transit center. He stated that the affordability will help to meet some of the City's goals and noted that four units would be provided for homeless veterans. He stated he has spoken to the owner of The Waters who explained the busing that occurs for larger visiting events. He stated the owners of The Waters have expressed support for this project to him. He stated they have attempted to provide the amount of parking possible. He noted this project would have HUD financing that comes with stringent noise guidelines that must be met and are more stringent than most municipal requirements. He stated they will not be installing a pylon sign and will most likely have a small monument sign. He stated they have to include the fair housing logo and therefore that would be difficult to include on wall signage. He explained they also own the Starbucks building and designed all the utilities and runoff to accommodate the entire site, containing both the Starbucks building and this building.

Commissioner Oakley asked if Mr. Thelen would operate the apartment complex or simply develop it.

Mr. Thelen replied that they would develop and operate the apartment complex. He provided background information on his company's experience in owner/operation of apartment complexes.

Chair Anderson asked for additional definition of lap siding.

Mr. Thelen provided additional details, noting that the material would be longstanding and low maintenance.

Chair Anderson asked for details on the projected timeline.

Mr. Thelen stated if everything goes well with the necessary approvals, they would begin the full design of the project and bid the project for construction with a goal to begin construction this fall or early 2021, with 12 months of construction.

Chair Anderson asked if a sign permit would be required for the freestanding sign.

Planning Manager Thomson replied that the freestanding sign would be reviewed and approved by staff.

Chair Anderson opened the public hearing.

Chair Anderson introduced Lauren Lindel of, 610 Cottonwood Lane, who stated she would like to see an EAW completed prior to this project being completed. She expressed concern that the building is within the floodplain and wetland zone. She stated the land is part of the DNR public lands. She stated while she is not against development, she would want it to be done responsibly. She stated this land is also within a groundwater sensitive zone. She stated when The Waters was under construction, the water from her well was black for a time. She provided a citizens' petition requesting a minimum setback of 50 feet from the wetland, compared to the 15 feet proposed. She stated that the plan to have snow storage to the south pushes that water and drainage into the wetland area. She stated they would also be requesting a semi-permeable parking lot to be used to ease flooding concerns. She stated they would also like to see an assessment of the potential groundwater contamination. She stated she will file the petition with the Environmental Quality Board within the next week. She commented when The Waters was built, this same process was followed, and The Waters moved their building 50 feet from the wetland. She commented that this building and parking lot are too big for the site and she would like to see an EAW completed before the project moves forward.

Chair Anderson introduced Bruce Thompson, 11018 Old County Road 15, who stated that some of his concerns were already addressed, such as snow removal and storage and the experience of the developer. He said he hoped the developer would not be planning landscaping on the northwest corner of the property as that would reduce the visibility for drivers in the area. He stated it has been mentioned that the building height would be lower than The Waters, but the ground elevation was not mentioned. He stated he is not familiar with affordable housing and asked what the thresholds would be. He asked the minimum income requirement for a person to live in that building. He also asked what would happen if a resident received a pay increase while living in the building that would place them above the threshold. He stated he is pleased to see a playground area included in the plan and asked what the responsibility of the City would be to ensure that it is a safe playground. He commented that he believes this would be an appropriate use of the site, but was unsure that this is the correct size/number of units for the building.

Chair Anderson introduced Daniel Lafontaine, 11400 5th Avenue, who stated when he moved into the area 30 years ago, the subject area was all swamp. He stated that one year ago his neighbor to the south was flooded because of an ice dam that formed on the 5th Avenue culvert. He stated in 1994 the swamp area was filled and for the last 30 years that area has been settling, which means that the subject parcel is compacted wetland. He stated he volunteers for the City to clean out drains. He stated the area was not a floodplain when he purchased his home and only became one once the culvert was installed. He stated this proposal seems to be too dense for this small space, and it exceeds the building height. He commented that although The Waters also exceeds the height, it is set back into a wooded area, whereas this building would stand out. He expressed concern with light pollution, drainage concerns, and the building height. He asked that the water be routed to the north, rather than to the south. He also asked who residents should call in the event of an ice dam in the future, as the residents cleared it the previous time. He stated he does not support this project.

Mr. Thelen stated that this project was presented to the watershed district and meets all the requirements. He stated there were monitoring wells on this site, and they have conducted soil vapor tests, all of which provided negative results. He stated there is a plan in place should they run into environmental conditions. He reported that a phase one and phase two assessment were conducted for the overall site, along with soil borings. He noted they will be putting the building on pilings, similar to what they did with the Starbucks building. He commented that the floor of the parking garage will not be fully set into the ground and will meet the freeboard requirements. He provided details on the water treatment that would occur, noting that water would not be discharging directly into the wetland. He reported that the average median income in the metro area is about \$80,000, and therefore the top limit to qualify to live in the building would be around \$50,000, noting that would depend on the size of a family. He stated some units would have a 30 percent income to service a population earning less income, which would be those that earn about \$25,000 per year.

Chair Anderson closed the public hearing.

Mr. Thelen stated he does not have exact figures on the elevation of the subject property compared to The Waters, but did not believe there to be a significant difference between the two sites. He stated they would be installing commercial playground equipment and not residential grade equipment, along with the play surface that would be installed under the equipment. He stated there is an easement over each of the stormwater retention areas, noting they would also complete annual maintenance on each of those areas as required.

Senior Planner Drill provided details on a curb cut that would be removed and noted that landscaping would not be planted in that area because of concerns for visibility along the frontage road.

Planning Manager Thomson stated that the lighting would have to meet the City's requirements, which are more stringent than most other communities in the metro area.

Mr. Thelen explained the lighting process he would follow, which is the same process that he followed for the Starbucks site.

Senior Planner Drill stated that the 15-foot setback mentioned by the resident is the distance from the building to the wetland buffer. He explained that the distance from the building to the wetland is 15 feet, plus the buffer.

Mr. Thelen stated he has used permeable pavement and concrete in parking lots on some projects in the past, and it has become a real maintenance problem. He explained that after the third year, the permeable surface fills with sand and rocks. He explained that permeable pavers would not be a good fit for this site because of the unstable soils.

Commissioner Witte asked for details on the snow removal plan and asked if the snow would be stored in areas that might drain into the wetlands.

Mr. Thelen replied they are not able to do that. He identified an area that could be used for snow storage. He stated in many of his apartment locations they haul the snow to another location.

Commissioner Witte asked if the underground parking would have a drain tile and sump system and asked where that would drain.

Mr. Thelen replied there would be drain tiles all around the building that would have sump pumps and they would empty it to their stormwater management system.

Commissioner Boo asked what the process would be for the citizen petition with the EQB.

Senior Planner Drill explained that the commission would make its recommendation this evening. He stated that once the petition is filed, the City's review process would be suspended until it is determined if an EAW is needed. He replied that in the case of The Waters, it was determined that an EAW was not needed.

Ms. Lindelof stated she was the first petitioner for The Waters project and because that project met every concern on the petition, the EQB did not require an EAW.

Commissioner Oakley commented there is a 15-foot building setback from the wetland buffer, which is an average of 30 feet and asked if that is acceptable.

Ms. Lindelof stated she would have to see if that buffer is actually 30 feet. She stated that she would want a 50-foot setback, and it seems like this project is too big for this site.

Chair Anderson stated when he hears the word floodplain, he is reminded of a space that is set aside for potential flooding and cannot be filled or built on without replacement. He asked if this site is old floodplain or whether this project is filling floodplain.

Senior Planner Drill commented that the wetland area of the site is floodplain and noted that the map shown by the resident is not an updated map. He confirmed that the building pad is not within the floodplain, but would be analyzed further if an EAW is required.

Chair Anderson asked and received confirmation there would be cross access easements.

Commissioner Witte asked for information on the density of the site compared to the buildable area.

Senior Planner Drill explained in a mixed-use PUD, the density is based on the overall PUD area.

Commissioner Oakley stated it was mentioned that this project would not trigger a mandatory EAW and asked if all three of the projects together would have triggered an EAW.

Senior Planner Drill replied they would not.

Commissioner Oakley stated when he started on the commission this site was on a list of the ten most rundown shopping centers, and it has been a long struggle to develop what should be an easily developable property, but there are some issues that make developing it more of a challenge. He commented that The Waters has been a good fit, and this seems to also be a good use of the property that fits well with adjacent neighborhoods. He said he believed the runoff would be improved by having the development there, compared to what exists as a vacant lot. He commented that while the 45-foot separation between the building and wetland is not 50 feet, it is a good distance. He stated this will be a good development that will provide work force housing to Plymouth residents.

Chair Anderson stated this is phase three of a project that has been underway for some time. He stated he is pleased with how the first two phases were completed. He commented that this is the same owner of the Starbucks property and was pleased to see that this project was considered when the watershed review was done for the Starbucks project to ensure stormwater elements were sized correctly.

Motion was made by Commissioner Oakley, and seconded by Commissioner Witte, to recommend approval of a PUD amendment and associated resolutions for a 61-unit apartment building to be located at 11229 State Highway 55. With all members voting in favor (Commissioner Markell recused himself), the motion carried.

New Business

Adjournment

Chair Anderson adjourned the meeting at 8:22 p.m.