

**PLANNING COMMISSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey Planning Commission conducted a regular meeting on Thursday, January 3, 2013, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Gary Levine
 Commissioner Randy Bauer
 Commissioner Ralph Brauer (arrived at 7:07 p.m.)
 Commissioner Robert Schiller
 Commissioner Gary Van Scoy

Members Absent: Commissioner Joseph Field
 Commissioner Jessica Perez

Also Present: Development Services Manager Timothy Gladhill
 Associate Planner/Environmental Coordinator Chris Anderson

1. CALL TO ORDER

Chairperson Levine called the regular meeting to order at 7:00 p.m.

2. CITIZEN INPUT

None.

3. APPROVAL OF AGENDA

Motion by Commissioner VanScoy, seconded by Commissioner Bauer, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Van Scoy, and Schiller. Voting No: None. Absent: Commissioners Brauer, Field, and Perez.

4. APPROVE PLANNING COMMISSION MINUTES

4.01: Approve the Following Planning Commission Minutes:

4.01.1: Planning Commission Meeting Minutes Dated December 6, 2012

Motion by Commissioner Bauer, seconded by Commissioner Van Scoy, to approve the following minutes as presented: Planning Commission Meeting Minutes dated December 6, 2012.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Van Scoy, and Schiller. Voting No: None. Absent: Commissioners Brauer, Field, and Perez.

5. NOTE CITY COUNCIL MINUTES

5.01: Note the Following City Council Meeting Minutes:

5.01.1: City Council Meeting Minutes Dated November 13, 2012

5.01.2: City Council Meeting Minutes Dated November 23, 2012

Informational; no action required.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Consider Ordinance to Amend City Code Section 117-118 Entitled The COR Related to Twenty Four (24) Hour Drive-thrus

Public Hearing

Chairperson Levine called the public hearing to order at 7:03 p.m.

Presentation

Development Services Manager Gladhill presented the staff report. He explained that as part of The COR Zoning Code, including the reformat of the original Design Guidelines to the Design Framework, zoning code standards related to design were shifted from the actual text of the City Code to the new Design Framework document. The intent was to create a more flexible, yet better defined design document for developers to plan their developments.

Development Services Manager Gladhill indicated there appears to have been some sort of formatting issue that dropped drive-thru uses with twenty-four (24) hour operations as a conditional use, and only keeping drive-thrus as a permitted use (when using audible speakers) between the hours of 7:00 a.m. and 10:00 p.m. Staff recommended the Ordinance amendment as presented.

Citizen Input

There was not citizen input for this item.

Commissioner Brauer arrived at 7:07 p.m.

Motion by Commissioner Van Scoy, seconded by Commissioner Schiller, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Schiller, Brauer, and Van Scoy. Voting No: None. Absent: Commissioners Field and Perez.

Chairperson Levine closed the public hearing closed at 7:07 p.m.

Commission Business

Commissioner Bauer requested information on the differences between The COR 2 and COR 3 zoning districts. Development Services Manager Gladhill discussed this in detail with the Commission explaining The COR 2 zoning district was more auto oriented and retail. He noted COR 3 was an office park/employment district.

Commissioner Van Scoy requested to see a zoning map showing the location of The COR and COR-2b zoning districts. Development Services Manager Gladhill reviewed a map with the Commission.

Commissioner Van Scoy inquired if there would be any screening along Bunker Lake Boulevard. Development Services Manager Gladhill was uncertain of the proposed screening for this area.

Chairperson Levine stated this information would be included in the site plan.

Commissioner Bauer questioned if The COR district, being mostly commercial, should have restricted business hours. He suggested the existing Ordinance not be modified and allow the use to remain a permitted use.

Commissioner Schiller agreed stating he was in favor of allowing drive-thrus to remain a permitted use.

Development Services Manager Gladhill commented Staff was recommending the use of audible speakers in The COR at a drive-thru from 11:00 p.m. to 7:00 a.m. through issuance of a Conditional Use Permit, and that the current ordinance was to allow use where not currently allowed under current ordinance.

Motion by Commissioner Bauer, seconded by Commissioner Schiller, to recommend that City Council adopt the Ordinance amending City Code Section 117-118 relating to twenty-four hour drive-thru operations, revising Line 1 and deleting everything in Paragraph 3 after "...beyond the property being served".

Further discussion

Chairperson Levine asked if this motion made sense to Staff. Development Services Manager Gladhill indicated this was a policy decision and if the Planning Commission was comfortable with allowing drive-thrus to operate 24 hours a day Staff would support this decision.

Commissioner Van Scoy questioned if there were current drive-thru businesses operating in The COR. Development Services Manager Gladhill noted there were drive-thru operations in the Coborn's development, a pharmacy lane and a Caribou Coffee.

Commissioner Van Scoy inquired if these businesses hours of operation were restricted. Development Services Manager Gladhill explained the hours were restricted by City Code.

Commissioner Bauer suggested the hours not be restricted as this was a commercial business district.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Schiller. Voting No: Van Scoy. Abstain: Commissioner Brauer. Absent: Commissioners Field and Perez.

6.02: Public Hearing: Request for Site Plan and Conditional Use Permit Approval for McDonald's Located on Lot 4 Block 1 CORE TWO; Case of McDonald's USA LLC

Public Hearing

Chairperson Levine called the public hearing to order at 7:16 p.m.

Presentation

Associate Planner/Environmental Coordinator Anderson presented the staff report. He explained the City received an application for Site Plan and Conditional Use Permit review for a proposed 4,600 square foot McDonald's restaurant located in the COR-2b subdistrict. The proposed building is a single tenant space located at the southeast corner of Sunwood Drive and Armstrong Boulevard NW, adjacent to the recently approved Super America site. The proposal includes a drive-thru and the applicant has requested to utilize and operate electronic speaker devices associated with the drive-thru twenty-four (24) hours per day. A conditional use permit is being processed along with the site plan to address the use of electronic speaker device outside the hours of 7:00 a.m. and 10:00 p.m. as permitted by City Code.

Associate Planner/Environmental Coordinator Anderson reviewed the site plan renderings in further detail and recommended the Commission adopt findings of fact favorable to the applicant and to approve the request for a Conditional Use Permit for the use and operation of electronic speaker devices associated with the drive-thru twenty-four (24) hours per day, contingent upon compliance with the Staff Review Letter dated December 28, 2012 and upon adoption of an Ordinance amendment related to the expanded use of electronic speaker devices. Staff requested the Commission also recommend approval of the proposed site plan, contingent upon compliance with the Staff Review Letter dated December 28, 2012.

Chairperson Levine requested staff to review how traffic would flow through this property. Development Services Manager Gladhill reviewed the traffic flow in detail with the Commission.

Chairperson Levine asked how many lanes would be provided in the drive-thru. Associate Planner/Environmental Coordinator Anderson commented there would be two drive-thru lanes that would merge into one for food pickup.

Citizen Input

Brian Smith, McDonald's USA, 1650 West 82nd in Bloomington, thanked the Commission for consider his request this evening. He noted he was available to take questions or comments.

Eric Kellogg, Landform, 105 South Fifth Avenue in Minneapolis, noted he too was available to take questions or comments from the Commission.

Commissioner Van Scoy asked if McDonald's had provided any alternative placement plans to City staff. Mr. Kellogg stated many options were discussed for this site given the number of cars anticipated. He noted the provided plan best met the needs of the restaurant with a drive-thru. He explained it was extremely important to separate the pedestrian traffic from the drive-thru traffic for safety purposes.

Commissioner Bauer questioned why Staff had requested the building layout alternatives. Development Services Manager Gladhill explained that this assured Staff had done their due diligence in reviewing the layout of this site, the flow of traffic and that the best plan was before the Commission for approval.

Chairperson Levine commented the proposed layout worked well, as has been demonstrated in other communities.

Commissioner Brauer inquired who was awarded the franchise for this McDonald's location. Mr. Smith stated this had not yet been determined.

Commissioner Brauer asked how much leeway McDonald's had to deviate from the standard site plan. Mr. Kellogg stated the submitted layout would differ from any in the metro area, given the proposed trellis and windows on the rear of the building. Mr. Smith explained that deviating from the site plan too greatly would require assistance from corporate. He noted that full circulation around the site was key.

Commissioner Brauer questioned how much McDonald's could deviate prior to involving corporate comment. Mr. Smith stated safety issues would arise if the building did not have full circulation.

Commissioner Brauer commented the proposed site plan deviated from the current zoning guidelines. He was pleased that McDonald's has been willing to work with the City thus far and questioned how much further McDonald's could go to meet the zoning code. Mr. Smith stated his main concern would be meeting McDonald's safety requirements.

Chairperson Levine supported the site plan as submitted.

Commissioner Bauer asked where the golden arches would be located. Mr. Kellogg indicated the building would have arches along with the proposed signage off of Highway 10.

Commissioner Bauer questioned where the garbage receptacles would be located. Mr. Smith noted these would be fully enclosed to the rear of the building.

Commissioner Bauer asked how many seats the restaurant would have. Mr. Carlisle commented the restaurant would have 90-100 seats and would have 51 parking stalls.

Motion by Commissioner Schiller, seconded by Commissioner Bauer, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Schiller, Bauer, Brauer, and Van Scoy. Voting No: None. Absent: Commissioners Field and Perez.

Chairperson Levine closed the public hearing closed at 7:47 p.m.

Commission Business

Commissioner Brauer requested an additional Finding of Fact be added stating that given McDonald's corporate policy on how sites are to be designed and for safety reasons, the proposed site plan was the only way to layout this site.

Chairperson Levine questioned why this was necessary.

Commissioner Brauer stated this would allow for deviation from the recommended zoning standards with regard to the site layout, addressing also the safety concerns of the proposed use on this site.

Associate Planner/Environmental Coordinator Anderson recommended this finding state the proposed site plan minimizes the potential pedestrian/motor-vehicle conflicts and safety concerns. The Commission agreed with this suggestion.

Commissioner Bauer asked how the Conditional Use Permit would proceed given the previous action taken by the Planning Commission. Development Services Manager Gladhill suggested the reference to the Conditional Use Permit be omitted as the drive-thru would be a permitted use.

Motion by Commissioner Schiller, seconded by Commissioner Brauer, to recommend that City Council adopt findings of fact (with the addition noted above) favorable to the applicant and to approve the request for the use and operation of electronic speaker devices associated with the drive-thru twenty-four (24) hours per day, contingent upon compliance with the Staff Review Letter dated December 28, 2012 and upon adoption of an ordinance amendment related to the expanded use of electronic speaker devices.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Schiller, Brauer, Bauer, and Van Scoy. Voting No: None. Absent: Commissioners Field and Perez.

Motion by Commissioner Schiller, seconded by Commissioner Brauer, to recommend that City Council approve the proposed site plan, contingent upon compliance with the Staff Review Letter dated December 28, 2012.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Schiller, Brauer, Bauer, and Van Scoy. Voting No: None. Absent: Commissioners Field and Perez.

6.03: Discussion on Dissemination of City Council Minutes

Presentation

Development Services Manager Gladhill presented the staff report. He indicated the Planning Commission was the only Board within the City that notes City Council minutes. He explained that all Council minutes are currently attached to the Planning Commission agenda. In addition to noting all City Council Minutes, staff additionally prepares a Staff Update that highlights and summarizes key actions made by the Council that may be of interest to the Commission. With the new agenda software system and online records retention system, all City minutes are much more easily accessible than in the past. Staff recommended that the City Council minutes be disseminated through the City's online records retention system rather than attaching them to the Planning Commission agenda.

Commissioner Bauer supported Staff's recommendation.

Chairperson Levine agreed and directed Staff to disseminate City Council Minutes through the City's online records retention system rather than attaching to the Planning Commission Agenda.

7. COMMISSION / STAFF INPUT

7.01: Special Planning Commission Meeting

Development Services Manager Gladhill commented Staff was working to hold a Special Planning Commission meeting during the week of January 14th. However, this was not possible given the required public hearing notifications. He would be following up with the Commission to possibly hold a special meeting on January 22nd, 23rd or the 28th or 29th to discuss the Preliminary Plat and Site Plan Review for the Seasons of Ramsey.

8. ADJOURNMENT

Motion by Commissioner Van Scoy, seconded by Commissioner Schiller, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Van Scoy, Schiller, Bauer and Brauer. Voting No: None. Absent: Commissioners Field and Perez.

The regular meeting of the Planning Commission adjourned at 8:02 p.m.

Respectfully submitted,

Tim Gladhill
Development Services Manager

ATTEST:

JoAnn Shaw
Planning Division Secretary

Drafted by Heidi Guenther
TimeSaver Off Site Secretarial, Inc.