

MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF CHAMPLIN IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF

SPECIAL SESSION
FEBRUARY 1, 2010
CITY COUNCIL CHAMBERS

CALL TO ORDER THE CHAMPLIN PLANNING COMMISSION MET IN SPECIAL SESSION AND WAS CALLED TO ORDER BY CHAIRPERSON THIEL AT 7:00 P.M.

ROLL CALL PRESENT WERE: CHAIRPERSON R.J. THIEL, COMMISSIONERS MATT BOLTERMAN, KIM CZAPAR, FORREST ELLIOTT, RYAN KARASEK, JERRY LASKE, AND MARIE SWENSON. ABSENT: JACK KELLY AND BRIAN PETSCHL. ALSO PRESENT WERE CITY PLANNER SCOTT SCHULTE, AND CITY RECORDER TIMESAVER OFF-SITE SECRETARIAL.

CHAIRPERSON THIEL INTRODUCED AND WELCOMED NEWLY APPOINTED COMMISSIONER RYAN KARASEK.

ROLE OF THE COMMISSION CHAIRPERSON THIEL BRIEFLY REVIEWED THE ROLE OF THE COMMISSION.

APPROVAL OF AGENDA (FEBRUARY 1, 2010) MOTION TO APPROVE THE AGENDA OF THE FEBRUARY 1, 2010 PLANNING COMMISSION MEETING AS PRESENTED. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

APPROVAL OF MINUTES (DECEMBER 21, 2009) MOTION BY COMMISSIONER CZAPAR AND SECONDED BY COMMISSIONER LASKE, TO APPROVE THE MINUTES OF THE DECEMBER 21, 2009, PLANNING COMMISSION MEETING AS PRESENTED. MOTION CARRIED 6-0-1. (COMMISSIONER SWENSON ABSTAINED DUE TO HER ABSENCE).

OPEN FORUM NO ONE WAS PRESENT FOR OPEN FORUM.

PUBLIC HEARING

PROJECT 2010-01: CULVER'S INTERNATIONAL JOHN O'SULLIVAN THE CITY PLANNER EXPLAINED THAT IN LATE DECEMBER, CULVER'S RESTAURANT, LOCATED AT 11218 COMMERCE DRIVE, SUSTAINED SIGNIFICANT FIRE DAMAGE. THOUGH MOST OF THE DAMAGE WAS INTERNAL, THE OWNER OF CULVER'S, JOHN O'SULLIVAN, HAS DETERMINED IT IS IN HIS BEST INTEREST TO BUILD A NEW FACILITY RATHER THAN REPAIR THE FIRE-DAMAGED BUILDING. SITE PLAN APPROVAL OF THE NEW FACILITY IS REQUIRED. THE SITE PLAN MUST MEET CONDITIONS OF THE ELM CREEK BUSINESS CENTER PLANNED UNIT DEVELOPMENT AND C-2 COMMERCIAL GENERAL BUSINESS DISTRICT ZONING REGULATIONS.

SITE PLAN REQUEST FOR APPROVAL TO CONSTRUCT A 4,277 SQ. FT. CULVER'S RESTAURANT AT 11218 COMMERC3E DRIVE THE CITY PLANNER STATED CULVER'S PLANS TO INTRODUCE THEIR NEW NATIONWIDE PROTOTYPE. THE NEW BUILDING WILL BE JUST OVER 200 SQUARE FEET SMALLER THAN THE EXISTING BUILDING WITH A PRAIRIE-STYLE DESIGN. THE LARGE METAL ROOF HAS BEEN ELIMINATED AND REPLACED WITH A FLAT ROOF. RATHER THAN BRICK, THE PRIMARY EXTERIOR MATERIAL IS A CULTURED STONE. ACCENT MATERIALS INCLUDE CEMENT BOARD TRIM AND EIFS COLUMNS WITH BLUE ACCENT TRIM. CANVAS AWNINGS PROVIDE WINDOW SHADING AND DECORATIVE LIGHTING SURROUNDS THE BUILDING. THE OVERALL BUILDING DESIGN IS CONSISTENT WITH ELM CREEK BUSINESS CENTER PUD DESIGN GUIDELINES. THE NEW BUILDING WILL CONTAIN A FIRE SUPPRESSION SYSTEM WHICH WILL REQUIRE A NEW WATER CONNECTION TO BE CONSTRUCTED.

THE CITY PLANNER EXPLAINED THAT THE NEW BUILDING IS POSITIONED IDENTICAL TO THE OLD BUILDING. BEING SOMEWHAT SHORTER, THE SITE PROVIDES ROOM FOR ADDITIONAL OUTDOOR DINING AREA ALONG THE EAST ELEVATION. NO OTHER SITE IMPROVEMENTS OR CHANGES ARE PROPOSED. AS SUCH, THE SITE CONFORMS TO ALL REQUIRED SETBACKS, PARKING REGULATIONS AND OPEN SPACE/LANDSCAPING REQUIREMENTS WITH ONE EXCEPTION. THE LANDSCAPED ROCK SIGN THAT CULVER'S PREVIOUSLY INSTALLED ON THE HIGHWAY 169 EMBANKMENT IS LOCATED PARTIALLY

IN THE HIGHWAY RIGHT-OF-WAY. THE SIGN IS NOT PERMITTED AND MUST BE REMOVED.

THE CITY PLANNER STATED THAT THE TRASH ENCLOSURE MUST INCLUDE CULTURED STONE THAT MATCHES OR COMPLIMENTS THE PRINCIPLE BUILDING TO MEET ZONING REQUIREMENTS. THE EXISTING CULVER'S SIGN IS RETAINED. PLANS INDICATE A PROPOSED MONUMENT SIGN ADJACENT TO HIGHWAY 169. THE SIGN IS NOT PERMITTED UNDER THE PUD AND MUST BE REMOVED FROM THE PLANS. IF THE APPLICANT DESIRES, A SEPARATE APPLICATION WILL NEED TO BE SUBMITTED IN ORDER TO PROCEED WITH THE PROPOSED MONUMENT SIGN.

THE CITY PLANNER STATED THAT STAFF RECOMMENDS APPROVAL OF THE REQUEST SUBJECT TO THE NINE CONDITIONS DETAILED IN THE STAFF REPORT.

PUBLIC HEARING

CHAIRPERSON THIEL OPENED THE PUBLIC HEARING AT 7:11 P.M.

JOHN O'SULLIVAN, THE APPLICANT, INDICATED WILLINGNESS TO MEET THE NINE CONDITIONS OUTLINED IN THE STAFF REPORT. HE STATED AN APPLICATION FOR THE MONUMENT SIGN WILL LIKELY BE SUBMITTED IN THE FUTURE. CULVER'S CUSTOMERS TRAVEL PRIMARILY UP AND DOWN HIGHWAY 169 AND THE SIGNAGE IS CRITICAL FROM THE STANDPOINT OF A RETAIL BUSINESS.

MOTION

MOTION BY COMMISSIONER LASKE AND SECONDED BY COMMISSIONER SWENSON, TO CLOSE THE PUBLIC HEARING. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

THE PUBLIC HEARING WAS CLOSED AT 7:13 P.M.

COMMISSIONER SWENSON STATED SHE LIKES THE NEW DESIGN OF THE BUILDING AND IS PLEASED TO SEE THE OWNER INVESTING IN CHAMPLIN. SHE EXPRESSED DISAPPOINTMENT IN THE REQUIRED REMOVAL OF THE LANDSCAPING ALONG THE HIGHWAY AND INQUIRED WHETHER IT IS POSSIBLE TO ALLOW THE LANDSCAPING WHILE STILL MEETING THE TECHNICAL REQUIREMENTS. THE CITY PLANNER EXPLAINED THAT APPROXIMATELY $\frac{3}{4}$ OF THE SIGN IS LOCATED IN MNDOT'S RIGHT-OF-WAY. MNDOT HAS EXPRESSED CONCERN REGARDING THE SIGN IN THE PAST AND STAFF SEES THIS AS AN OPPORTUNITY TO FOLLOW THROUGH ON MNDOT'S REQUEST. SECONDLY, THERE ARE LANDSCAPING PLANS REQUIRED WITH ALL SITE PLANS. THIS LANDSCAPED SIGN IS NOT PART OF THE APPROVED LANDSCAPING PLAN.

COMMISSIONER ELLIOTT INQUIRED ABOUT THE 10 FOOT SETBACK IN REGARDS TO THE MAIN SIGN ON THE SITE. THE CITY PLANNER REPLIED THAT THERE WILL BE A BUMP OUT IN THE PARKING LOT TO MEET THE REQUIRED 10 FOOT SETBACK FOR THE SIGN.

COMMISSIONER ELLIOTT SUGGESTED THAT THE SIGN LOCATION MAY CAUSE DIFFICULTIES FOR THE SNOW REMOVAL CREW. MR. O'SULLIVAN EXPLAINED THAT HE TAKES CARE OF THE SNOW REMOVAL.

COMMISSIONER ELLIOTT INQUIRED ABOUT THE POSSIBILITY OF A HANDICAP DOOR BEING INCLUDED ON THE NEW BUILDING. MR. CHRIS MCGUIRE, CONSTRUCTION REPRESENTATIVE FOR THE APPLICANT, INDICATED THAT THIS REQUEST CAN BE MET. MR. O'SULLIVAN EXPLAINED THAT IT IS DIFFICULT TO RESPOND AFFIRMATIVELY TO ADDITIONAL REQUESTS AT THIS TIME, AS HE HAS NOT RECEIVED A FIRM COMMITMENT FROM THE INSURANCE COMPANY ON THE TOTAL LOSS OF DOLLARS.

CHAIRPERSON THIEL STATED HE LIKES THE DOWN-LIGHTING PLANNED OVER THE AWNINGS. HE INQUIRED ABOUT THE PARAPET SCREENS INCLUDED IN THE BUILDING ELEVATIONS. THE CITY PLANNER REVIEWED THE BUILDING ELEVATIONS AND EXPLAINED THE REQUIREMENT IS TO SCREEN THE MECHANICAL EQUIPMENT ON THE ROOF.

COMMISSIONER LASKE REQUESTED INFORMATION ON THE BUILDING MATERIALS. MR. MCGUIRE PRESENTED SAMPLE MATERIALS FOR THE CULVER'S BUILDING. HE PRESENTED PHOTOGRAPHS OF A SIMILAR RESTAURANT INTERIOR AND MONUMENT

SIGN LOCATED IN ANOTHER CITY.

CHAIRPERSON THIEL ENCOURAGED THE APPLICANT TO GO THROUGH THE PUD AMENDMENT PROCESS IN THE FUTURE FOR THE MONUMENT SIGN.

THE CITY PLANNER EXPLAINED THE CONCERN ABOUT ALLOWING BUILDINGS WITH HIGHWAY FRONTAGE TO HAVE SIGNAGE ON THE HIGHWAY, IS AT WHAT POINT THIS BECOMES A PROLIFERATION OF SIGNAGE ON THE HIGHWAY. HE STATED IF THIS PUD AMENDMENT APPLICATION COMES THROUGH STAFF WILL ADDRESS ALL THE ISSUES THAT WENT INTO THE DECISION ON THIS ISSUE.

MOTION

MOTION BY COMMISSIONER LASKE AND SECONDED BY COMMISSIONER ELLIOTT, TO RECOMMEND APPROVAL OF THE SITE PLAN FOR A NEW CULVER'S RESTAURANT AT 11218 COMMERCE DRIVE SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE APPLICANT SHALL ACQUIRE ALL NECESSARY STATE OR FEDERAL PERMITS.
2. THE CITY SHALL APPROVE FINAL UTILITY PLANS.
3. THE DEVELOPER SHALL REMOVE ALL DEBRIS (CONCRETE, GARBAGE, RUBBLE, WOOD, ETC.) ACCUMULATED ON THE PROPERTY AND DISPOSE OF IT OFF SITE. A DEMOLITION PERMIT IS REQUIRED PRIOR TO RAZING THE EXISTING BUILDING.
4. THE DEVELOPER SHALL BE IN COMPLIANCE WITH METROPOLITAN COUNCIL INTERIM STRATEGIES TO REDUCE NON-POINT SOURCE POLLUTION, PCA'S BEST MANAGEMENT PRACTICES, THE CITY OF CHAMPLIN'S SURFACE WATER MANAGEMENT PLAN, AND EROSION CONTROL ORDINANCE.
5. THE ACCESSORY TRASH ENCLOSURE SHALL BE CONSTRUCTED OF MATERIAL TO MATCH THE NEW BUILDING. ENCLOSURE DOORS SHALL ACCENT THE TRASH ENCLOSURE.
6. THE PROPOSED MONUMENT SIGN ADJACENT TO HIGHWAY 169 SHALL BE ELIMINATED. TWO WALL SIGNS ARE PERMITTED. SIGN PERMITS ARE REQUIRED PRIOR TO THE INSTALLATION OF SIGNAGE ON THE SITE.
7. ALL PERMANENT PARKING AND DRIVE AREAS SHALL BE CONSTRUCTED WITH APPROVED CURB, GUTTER AND PAVING.
8. ROOFTOP MECHANICAL EQUIPMENT SHALL BE COMPLETELY SCREENED BY THE BUILDING PARAPET.
9. THE NEW BUILDING SHALL CONTAIN A FIRE SUPPRESSION SYSTEM.

IT WAS NOTED THAT THE DISCUSSION ON INCLUDING A HANDICAP DOOR IS INCLUDED IN THE MINUTES, AND IT IS NOT APPROPRIATE TO INCLUDE AS A CONDITION OF THE SITE PLAN APPROVAL.

ALL VOTED IN FAVOR AND THE MOTION CARRIED.

CHAIRPERSON THIEL NOTED THAT THIS ITEM WOULD BE REVIEWED BY THE CITY COUNCIL AT THEIR MEETING ON FEBRUARY 8, 2010.

ADJOURN
MOTION

MOTION BY COMMISSIONER KARASEK AND SECONDED BY COMMISSIONER LASKE, TO ADJOURN THE MEETING. ALL VOTED IN FAVOR AND THE MOTION CARRIED. THE CHAMPLIN PLANNING COMMISSION MEETING ADJOURNED AT 7:28 P.M.

R.J. THIEL, CHAIRPERSON

ATTEST:

SCOTT SCHULTE, CITY PLANNER