

Call to Order and Flag Pledge.

Commission Chair Vince Johnson called the meeting to order.

Roll Call.

Chair Vince Johnson and Commissioners Randy Dalheimer, Kevin Faulds, Bob O'Brien, Steve Fowler, Council member Scott Hoke were present as was Assistant to the City Administrator Erin Stwora, Assistant City Planner Mike Elhard, Assistant City Engineer Katie Warner, and Planning Consultant Tina Goodroad.

Approval of the Agenda.

Motion to approve the agenda by Johnson, seconded by Fowler, no additional discussion, All ayes.

Open Forum.

Johnson opened the open forum.

No one came forward.

Johnson closed the open forum.

City Council Update.

Hoke provided the update.

Consent Agenda.

- A. Approval of the October 1, 2009 Planning Commission Meeting Minutes.

Motion to approve minutes by Johnson, seconded by Fowler, O'Brien abstains, All ayes.

Presentation and Discussion – State Representative Joyce Peppin

1. PUBLIC HEARING – Archambo Home Extended Business/Interim Use Permit

Elhard presented an overview of the request.

Johnson opened the public hearing.

No one came forward.

Johnson closed the public hearing.

O'Brien questioned if the feces would be handled by the garbage hauler. O'Brien stated a stipulation should be included that requires cleanup multiple times a week. Stwora stated staff would research the statutory requirements to stipulate removal and contact the garbage hauler. Stwora questioned the number of times a week the feces would be removed from the yard. Monica Archambo stated removal would occur weekly.

Johnson questioned if the IUP permit requires a date to cease operation. Stwora stated five years is a standard time limit of an IUP.

Fowler questioned if traffic and safety issues on Dayton River Road would occur. Stwora stated the small number of dogs permitted do not represent a significant increase in traffic along the road.

Fowler questioned if additional construction would take place. Archambo stated a fence has been constructed but no kennels would be constructed.

Johnson questioned if dogs were present on the property at this time. Archambo stated she currently owns dogs.

O'Brien questioned if dogs would be kept overnight. Archambo stated the dogs would not be kept overnight.

Faulds questioned if noise would be a concern. Stwora stated noise may be the reason the use is considered a conditional use within a residential area. Stwora stated the nuisance ordinance would be applied if excessive noise was observed.

Motion to approve Home Extended Business Permit by O'Brien, seconded by Fowler, no additional discussion, All ayes.

Motion to approve Interim Use Permit by O'Brien, seconded by Fowler, no additional discussion, All ayes.

2. Nature's Crossing 4th Addition – Final Plat

Stwora and Warner presented an overview of the project.

O'Brien questioned if precedents are being set by allowing setback reductions. Stwora stated precedents were not being set due to the PUD.

Fowler questioned when the wetland mitigation was completed. Tom Dehn, MTD Properties, stated the work was completed in the 2008.

Dahlheimer questioned the amount of time the developer is responsible for maintaining the wetland. Warner stated standards would be set following the initial years of the wetland. Marty Campion, Campion Engineering, stated the grading completed for the project would create more hydrology to the wetland. Dehn stated there was no water in the wetland. Stwora stated the project has been approved by the watershed district.

Dehn questioned the status of the letter of credit for Nature's Crossing 2nd Addition.

Motion to approve by Johnson, seconded by O'Brien, no additional discussion, All ayes.

3. PUBLIC HEARING – Sundance Woods Preliminary Plat/Preliminary Planned Unit Development

Elhard, Stwora and Warner presented an overview of the project.

Campion questioned if preliminary plat approval guaranteed rezoning. Stwora stated this was not the case.

Dahlheimer questioned if the sewer line would come from Maple Grove. Campion stated the line would come from Dayton but would enter and leave Maple Grove. Dehn stated the intent of the item on the agenda is to begin discussions. Dehn stated there is no intention to break ground in 2010 but possibly in 2011.

Fowler questioned the use of the R-1S zoning districts. Stwora stated the developer may use proposed zoning districts if new zoning districts are approved. Elhard stated the memo outlines the zoning districts.

Fowler questioned the density of the development. Stwora stated the City uses the Met Council guidelines shown on Exhibit J.

Fowler stated the lot sizes found in exhibits are not consistent. Stwora and Campion stated lot sizes changed and all exhibits may not be updated. Dehn stated lot sizes changed due to wetland buffers.

Stwora stated Exhibit H and Exhibit I shows the difference between submissions.

Johnson opened the public hearing.

No one came forward.

Johnson closed the public hearing.

Johnson questioned the three roads running East-West. Campion stated the proposed Rush Creek Parkway creates the need for the additional roads. Dehn stated the gas line also limits what can be done. Stwora and Campion stated the land is challenging to develop. Hoke questioned if Rush Creek Parkway could be built closer to the Dayton/Maple Grove border. Campion stated he would prefer not to build the road for Maple Grove.

Dehn stated the development will include single family homes, detached townhomes and possibly a gated community.

Campion stated the intent is to follow the landscape ordinance but would allow the homeowner to select the location of the trees. Stwora stated direction from the commission would be needed. Dehn stated the species would be selected. Dehn stated each home would have a landscape plan approved by the architectural review committee. Stwora stated the City collects a landscape escrow at the time of permitting. Johnson stated he supports revising the recommendation to the landscape plan.

Fowler stated he would like to see the City Council review the development as a PUD. Johnson agreed. Stwora stated the process would not be slowed down and would depend on the timing of the developer.

Motion to approve Preliminary Plat by Johnson, seconded by Fowler, no additional discussion, All ayes.

Motion to approve Preliminary Planned Unit Development by Johnson, seconded by Faulds, no additional discussion, All ayes.

4. Discussion – In Preparation for January 7, 2010 Public Hearing

1. Subdivision Ordinance – Tina Goodroad presented an overview.

Hoke questioned if the Council can be given the right to reduce right-of-way widths required.

Hoke questioned if requiring islands in cul-de-sacs could be included. Stwora stated input from Dayton Public Works and Dayton Fire Department would be needed and the island would need to be maintained by a homeowners association. Stwora stated language could be added to state islands would be strongly recommended provided maintenance is completed by a homeowners association.

2. Planned Unit Development Ordinance (PUD) - Tina Goodroad presented an overview.
3. Conservation Subdivision Ordinance (Previously Reviewed) - Tina Goodroad presented an overview.
4. Residential Districts (Previously Reviewed) - Tina Goodroad presented an overview.

Fowler questioned if the average lot size in the proposed R-1A district was adjusted to 15,000 sq. ft. at a previous meeting. Goodroad stated the R-1 district was proposed as 12,500 sq. ft. but was adjusted at a prior meeting. Goodroad stated the R-1A district was proposed at 12,500 sq. ft. and agreed upon a previous meeting.

Fowler questioned if the average lot size in the proposed R-1A district could be increased to 15,000 sq. ft. Stwora stated the calculations submitted to the Met Council were based on 12,500 sq. ft. and the approvals from the Met Council were based on 12,500 sq. ft.

Fowler stated his concern was based on the density. Stwora stated changing the density of an entire zoning district would change all calculations in the approved 2030 Comprehensive Plan and the City may not achieve 3.0 units/acre which could result in the Met Council stopping the extension of the sanitary sewer line into the City.

Fowler stated the incentives included in the R-1A district are subjective. Hoke stated the incentives may be reviewed by the Planning Commission and not the developer. Goodroad stated each incentive, with the exception of the environmental friendly practices, is easily quantifiable.

Johnson questioned if the park dedication incentive should be increased. Goodroad stated a number could be included. Goodroad suggested half of the lowest park dedication requirements. Johnson stated the developer may give up quality for quantity.

Stwora stated the R-1A district gives Dayton an opportunity to create neighborhoods that do not look and feel like other neighborhoods in neighboring communities. Faulds stated he supported the proposal but questioned if there was an area not covered that could get the City in trouble in the future. Stwora stated the shortcomings of any new ordinance are not known until applied. Goodroad stated the ordinance may be changed in the future.

5. Business Districts and Building Requirements (Previously Reviewed) - Tina Goodroad presented an overview.
6. Industrial Districts and Building Requirements (Previously Reviewed) - Tina Goodroad presented an overview.
7. Adult Establishments (Previously Reviewed) - Tina Goodroad presented an overview.
8. Accessory Buildings and Structures (Previously Reviewed) - Tina Goodroad presented an overview.
9. Parking Requirements (Previously Reviewed) - Tina Goodroad presented an overview.

Notices and Announcements

- a) Future and Continued Planning Commission Agenda Items.
- b) Commissioner Updates
- c) Staff Notices and Announcements.
- d) The next Planning Commission meeting will be held on January 7, 2010.

Adjourn

Motion to adjourn was made by O'Brien, seconded by Johnson, no additional discussion.

Ayes: All.