



**CITY OF MONTROSE
200 CENTER AVENUE SOUTH
MONTROSE, MINNESOTA 55363
PLANNING & ZONING COMMISSION
MINUTES
February 18, 2009**

Pursuant to call and notice, the Montrose Planning and Zoning Commission met in regular session on Wednesday, February 18, 2009.

Those present were Commissioners, Cory DeWitte, Roy Henry, Keith Roseen, Tim Hackenmiller, Alfred Mohring and Georgina-Stanley-Woidyla.

Sharon Knodel, liaison, Bob Kirmis, city planner, Justin Kannas, city engineer and Barb Swanson, administrator were also present.

Absent: Chuck Smallwood

MISSION STATEMENT

The Planning Commission, serving a key leadership role as an advisory body to the City Council, reviews and evaluates land use issues utilizing zoning and subdivision regulations to ensure conformity to the Comprehensive Plan and community values, to manage the future growth of Montrose.

Agenda

Motion by Roseen, seconded by Woidyla, to approve the agenda as presented.
Carried 6-0.

Approval of Minutes

Motion by Henry, seconded by Roseen, to approve the September 17, 2008 minutes as presented. Carried 6-0.

Elections of Officers

Chair – DeWitte, nominated by Roseen, seconded by Woidyla.

Vice Chair – Keith Roseen, nominated by Hackenmiller, seconded by Woidyla.

Secretary – Roy Henry, nominated by Hackenmiller, seconded by Woidyla.

Treasurer – Tim Hackenmiller – nominated by Woidyla.

Motion Carried 6-0

Public Hearing – Public Hearing Meadow Brook Cottages

PUD Amendment

The public hearing opened at 7:05pm

Bob Kirmis, city planner, reviewed the memorandum date January 27, 2009.

BACKGROUND

In the winter of 2006, the City Council approved a 48 unit senior housing project entitled “Meadow Brook Cottages”. The project occupies a 10 acre site located north of the Burlington Northern - Santa Fe rail line and east of Clementa Avenue. The approved development is comprised of 16 single unit “villas”, one eight-unit townhouse and 24 assisted living units (within a single building).

To accommodate the proposal, the following specific approvals were granted:

- Rezoning of the property from A-1, Agricultural to R-2, Multi Family Residential.
- Planned Unit Development (PUD) Conditional Use Permit to allow a mixture of residential uses, unit lot area and width flexibilities, and a private street system.
- Preliminary Plat

At this time, the applicant (Stephen Binek of George Fantanza & Associates on behalf of Hirsch Investments) wishes to amend the PUD to allow a nine bedroom advanced care facility to occupy that area of the site originally planned for an eight unit townhome building (in the northwest corner of the site along Clementa Avenue). The care facility would occupy the same general building footprint as the previously approved townhome building. No other substantial modifications to the previously approved plans are proposed.

The subject site is zoned R-3, Medium Density Residential (the R-2 district under the previous ordinance).

ISSUES ANALYSIS

Advanced Care Facility Use. According to the applicant, the advanced care facility will serve persons fifty-five years and older. The facility will offer twenty-four hour, individual care (including dining) in an environment similar to a home.

The facility will include nine bedrooms and a maximum of ten residents. This is similar in intensity to the previously approved eight unit townhome building.

The subject property is guided for medium density residential use which is reflected in its R-3, Medium Density Residential zoning designation. The site is bordered on the north and south by property guided for medium density residential use; on the east by properties guided for low-density residential use and on the west by properties guided for industrial use. As part of the previous the PUD application, it was determined that medium density residential use of the site is compatible with existing and planned neighboring uses.

Site Plan. According to the applicant, the proposed advanced care facility will occupy the footprint of the previously approved townhome building. While it is understood that no major changes to the site layout are proposed, it is recommended that the previously approved site plan (which encompasses the entire site) be modified to reference the proposed nine bedrooms advanced care facility.

Access. The subject site is to be accessed via Clementa Avenue, a designated collector street. The advanced care facility building will be accessed via an internal private street system. The private street was constructed as part of a previous development phase.

Off-Street Parking. Unlike the previously approved townhome building, the advanced care facility will not provide individual garages as facility residents will not drive. Six parking stalls presently exist north of the proposed building site which was constructed as part of a previous building phase. Such stalls will be utilized by care facility staff and visitors.

The private street serving the building measures measuring 25 feet in width. To ensure two-way traffic movement, it is recommended that on-street parking along the adjacent private drive be prohibited.

Building Height. Unlike the two story townhouse building, the advanced care facility will be a single story in height. Specifically, the care facility measures 17 feet in height (measured from the mean distance of the roof gable). Such building height is well within the maximum 45 feet allowed by ordinance.

Setbacks. As noted previously, the advanced care facility will occupy the same building footprint as the previously approved townhome building. The care facility meets all applicable setbacks of the R-3 District.

Building Design and Materials. As a PUD, the City has the ability to address the design and appearance of the proposed building in order to ensure a high quality development product.

The proposed advanced care facility measures 5,086 square feet in size, similar to the footprint size of the previously approved townhome building.

As shown on the submitted building elevations, the advanced care facility is to be finished in vinyl siding with cultured stone at the base of the building. Vinyl “shake” siding is to be provided within the gabled roof areas to provide visual interest. The roof is to be finished in asphalt shingles.

Generally speaking, the building design is considered positive by providing articulated facades, varied finish materials and an architectural theme similar to that of the “villas” within the Meadow Brook Cottages project.

As a condition of PUD amendment approval however, it is recommended that the building elevations be modified specify building color. It is further recommended that the building be of a color (or colors) compatible with other site structures as determined by the City.

On a minor note, the applicant’s narrative states that the building exterior is to include brick. In contrast, the building elevations specify “cultured stone” but no brick. This should be clarified.

Entrance Alternative. The submitted site plan (Exhibit E) and building elevations (Exhibit G) illustrate an alternative design for the building’s north entrance. The alternative calls for an entrance canopy with an integrated vestibule. Staff considers the alternative preferable from both a visual and functional standpoint and therefore recommends that the building canopy be constructed.

Trash. No information has been provided regarding trash handling for the assisted living facility. As a condition of PUD amendment approval, a specific trash handling area should be identified on the site. If trash is to be stored outdoors, the receptacle should be screened from view in a manner consistent with ordinance requirements.

Property Owner’s Association. It is not clear if the development’s property owners association will assume maintenance responsibilities for the advance care facility. This should be subject to comment by the City attorney and addressed to the satisfaction of the City.

Landscaping. As required by the ordinance, a landscape plan has been submitted for review. The plan calls for a variety of plantings on the north, south and east sides of the care facility. Specific tree plantings include Black Hills Spruce, Colorado Blue Spruce, Northern Pin Oak, Autumn Spire Maple and Prairiefire Crabapple. A concentration of shrubs and perennial flowers are also proposed near the building’s north side entrance.

While the plan is considered well conceived, two issues exist. The plan calls for the placement of spruce trees approximately five feet from the care facility. Considering that such trees can exhibit a mature diameter of up to 30 feet, it is recommended either greater

separation from the building be provided (to accommodate full growth) or alternative, smaller tree varieties is substituted.

Considering that the west side of the care facility borders Clementa Avenue, it will likely be it most visible façade. With this in mind, it is suggested that some plantings be provided on the west side of the building, particularly the southwest corner of the building.

Grading, Drainage and Utilities. Issues related to grading, drainage and utilities should be subject to comment and recommendation by the City Engineer.

Development Agreement. As part of final plat approval, the applicant will be required to enter into a PUD amendment agreement with the City and post a financial security required by it. This issue should be subject to further comment by the City Attorney.

RECOMMENDATION

The proposed advanced care living facility is similar in scale to the previously approved eight unit townhome building. While some concerns have been identified, such issues are considered relatively minor and can be addressed. As a result and based on the preceding review, the Staff recommends approval of the PUD amendment subject to the following conditions:

1. A maximum of ten care facility residents shall be allowed.
2. The care facility be staffed on a 24 hour basis.
3. The previously approved site plan (which encompasses the entire site) be modified to reference the proposed nine bedroom advanced care facility.
4. On-street parking along the adjacent private drive (north of the care facility) be prohibited.
5. The building elevations be modified specify building color. The building color (or colors) shall be compatible with other site structures as determined by the City.
6. The applicant clarify whether brick, cultured stone, or both are to be utilized as building finish materials.
7. The building be provided an entrance canopy as illustrated on the submitted site plan and building elevations (identified as “alternative entry”).

8. The site plan be modified to illustrate a specific trash handling area. If trash is to be stored outdoors, the receptacle shall be screened from view of Clementa Avenue and neighboring properties in a manner consistent with ordinance requirements.
9. The applicant address property maintenance responsibilities to the satisfaction of the City. This issue shall be subject to further comment by the City Attorney.
10. Either the distance between the proposed spruce trees and care facility building be increased (to accommodate full growth) or alternative plantings be substituted.
11. Plantings be provided on the west side of the building, particularly the southwest corner of the building to enhance the appearance of the building from adjacent Clementa Avenue.
12. All signage comply with applicable provisions of the City's sign ordinance.
13. The City Engineer provide comment and recommendation in regard to grading, drainage and utility issues.
14. The applicant enter into a PUD amendment agreement with the City and post all the necessary securities required by it. This issue shall be subject to further comment by the City Attorney.
15. Comments of other City Staff.

Justin Kannas, engineer, reviewed the engineers report dated January 27, 2009.

The following items were reviewed as listed:

- 1) The proposed site plan does not increase the amount of impervious surface from the original PUD application. Therefore, the original Meadowbrook Cottages Development's stormwater management system is adequate for the proposed facility.
- 2) All roof drainage for the proposed facility shall be directed to the existing storm sewer system and not towards the existing wetland.
- 3) The applicant shall provide plumbing code calculations for the required sanitary sewer service size to the City Engineer for review and approval prior to commencement of construction.
- 4) The applicant shall revise the Grading Plan to provide positive drainage from the front of the building to the sidewalk. The proposed Grading Plan in this area is flat which may cause drainage problems.
- 5) The applicant shall install silt fence between the sidewalk and the proposed building, inlet protection on the catch basin in front of the proposed building and

a rock construction entrance into the site all per the City of Montrose building code requirements.

- 6) Parking requirements shall be subject to review and comment by the City Planner.
- 7) All plans shall be reviewed and approved by the City of Montrose Building Official.
- 8) All improvements shall be in accordance with the City of Montrose Development Standards.

Kannas recommend approval of the Planned Unit Development contingent on the above comments and comments as submitted by other City Staff.

Jason Chaffins, Montrose Fire Department, asked if the facility is going to be licensed by state or county.

Shelly Hirsch will provide this information.

George Fantanizza, architect on the project, addressed the vestibule addition and agreed to #1-5. Fantanizza stated that the trash handling would be located on the west side of the building. Fantanizza addressed and reviewed items as listed in the planners report, items 1-15. He did not see any problems with the recommendations.

Catherine Neiberger – 125 Hill Street

Ms. Neiberger stated the following questions and concerns:

- The developers agreement is in default under article 3
- The screening is not in compliance with the landscape plans as submitted
- TIF district
- Sales of the cottages
- The project is not in the best interest of the Montrose residents
- Her home is located directly behind the facility and this project has devalued her property as well as all the surrounding properties
- Ms. Neiberger strongly objects to this project

The public hearing was closed at 7:28pm

The commissioners addressed the following questions and concerns:

DeWitte stated concerns with traffic, delivery trucks, oxygen tanks and safety regulations.

Roseen would like clarification on who will be living in this facility.

Woidyla asked a questions regarding the bathrooms within the facility.

Other questions were asked regarding double occupancy, room sizes, service agreements, investigative research, storage, emergency evacuations, egress assistance, traffic studies, and the number of jobs that will be provided to the City of Montrose

Shelly Hirsch and Fantanzzza stated that the roads were installed to city specs. There will not be large delivery trucks. There will not be a holding facility for oxygen. This portion will be run by a management facility.

Hirsch reviewed the atmosphere of the advanced care facility, the intent of a home feel vs. institutional, room sizes, age limitations, emergency evacuation, rehabilitation, interim housing, sidewalks, emergency accesses, and staffing. Hirsch stated that all MN. Codes will be met.

Motion by Roseen, seconded by Hackenmiller to recommend to the council to move forward with the PUD amendment with recommendations listed in the planners report and the engineers report. The conditions of the prior PUD approval must be met prior to building permits being issued. Carried 6-0

Roseen stated that this type of project is good for the local population of Montrose.

New Business

There was no new business to be discussed

Report of Officers

Knodel, liaison informed the Planning Commission that a new council member has been appointed; Ryan Andrea. The council has held a re-treat and worked on 2009 goals. The budget has been reviewed and many cuts have had to be made. Staff has willingly agreed to no pay raises for the year. The council meetings have been cut back to 1 meeting a month.

Miscellaneous

Cory would like some information on wind turbines. City Staff has been doing some research on this topic.

Chuck Smallwood is in recovery from surgery and will return in January.

Adjournment

Motion by DeWitte, seconded by Woidyla, to adjourn at 7:53pm

Author: Kristine M. Richter
City of Montrose

Barbara C. Thwing-Swanson
Administrator/Clerk/Treasurer