

**PLANNING COMMISSION MEETING**  
**May 18, 2016**

**Chairperson Kondrick** called the Planning Commission Meeting to order at 7:00 p.m.

**MEMBERS PRESENT:** David Kondrick, Brad Sielaff, Leroy Oquist, David Ostwald, Mark Heintz, and Mark Hansen

**OTHERS PRESENT:** Stacy Stromberg, Planner  
Natasha Lukacs, Code Enforcement Intern  
Steve Witzel, Mobile Maintenance, Inc.  
Joe Fulton, 520 Glencoe Street NE  
Todd Ofsthun, TCO Design  
Nathan Running, Gen One LLC  
Dean Bloemke, Welcome Home Management Co., Hutchinson MN  
Paul and Mary Ann Laes, 5400 4<sup>th</sup> Street

**Approval of Minutes:** April 20, 2016

**MOTION** by Commissioner Sielaff to approve the minutes as presented. Seconded by Commissioner Oquist.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**Commissioner Hansen** stated regarding Commissioner Oquist's question about what the EQE Commission was talking about in reference to the bubbler that existed in Moore Lake he wanted to clarify it is a bubbler that aerates the lake. It allows for fishing and helps maintain fish. However, it also attracts quite a bit of water fowl which tend to produce a lot of undesirable things along the Moore Lake beach area and reduces the water quality. It is something they are looking at and would like the City to perhaps eventually consider turning it off for a period of time.

**1. PUBLIC HEARING:**

**Consideration of a Public Hearing for a Special Use permit, SP #1604, by Mobile Maintenance, Inc., to allow the construction of a parking lot on a lot zoned R1, Single Family, for the purpose of parking vehicles related to the petitioner's business, generally located at 513 Fairmont Street NE.**

**MOTION** by Commissioner Oquist to open the public hearing. Seconded by Commissioner Sielaff.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE PUBLIC HEARING WAS OPENED AT 7:03 P.M.**

**Stacy Stromberg**, Planner, stated the petitioner, Steve Witzel, the owner of Mobile Maintenance, Inc., which is located at 8150 East River Road and 505 Fairmont Street, is seeking a special use permit to expand his business parking lot to the residential lot at 513 Fairmont Street.

**Ms. Stromberg** stated the petitioner has owned the lot at 513 Fairmont Street for over 20 years and has used a portion of the east side of the lot for parking of vehicles for his business. The proposed expansion

of the parking lot onto the property at 513 Fairmont Street will allow the petitioner to create a buffer between the residential home next door and his business. The buffer will be created through the installation of fencing and shrub and grass plantings.

**Ms. Stromberg** stated the subject property is a 50-foot wide residential lot located on the north side of Fairmont Street, west of East River Road. It is zoned R-1, Single Family, as are the properties to the north, west and south. The petitioner's property at 8150 East River Road and 505 Fairmont Street, located to the east are zoned C-1, Local Business. The house that was originally constructed on the lot was built prior to 1949. In 1994, the City Council approved a resolution authorizing demolition of the house because it had become hazardous. As a result, the house was demolished in 1994. In 1995, the petitioner purchased the 513 Fairmont Street property.

**Ms. Stromberg** stated the petitioner has operated his business at 505 Fairmont Street for 25 years. The City Council granted a special use permit to allow outdoor storage of material and equipment on the 505 Fairmont Street property in 1993, with several stipulations. When the City conducted systematic code enforcement inspections of its commercial and industrial properties in 2009, staff noticed the petitioner was in violation of his special use permit related to the outdoor storage and inoperable vehicles.

**Ms. Stromberg** stated since 2009 City staff has notified the petitioner in 2010, 2012, and 2013 of special use permit violations on the property related to outdoor storage and parking violations. In 2014 City staff brought the special use permit before the City Council to consider revocation because of the increase in vehicles being parked on the street, encroaching on the vacant residential lot and the vacant commercial lot to the south. The Council did not revoke the special use permit; however, they added a stipulation to the permit that required the petitioner to install curb and gutter along the western edge of the parking lot at 505 Fairmont Street that would meet code requirement by February 10, 2016, to help resolve the ongoing parking issue.

**Ms. Stromberg** stated staff has had continued conversations with the petitioner over the last few years; however the additional stipulation was not met by February 10, 2016 deadline. Therefore, an additional code enforcement letter was sent.

**Ms. Stromberg** stated the petitioner determined that after installing the code-required curb and gutter, with designed parking stalls and drive aisles, there would not be enough land area available on the 505 Fairmont Street parcel to actually use the lot for a parking the business needs. Staff and the petitioner discussed rezoning the 513 Fairmont parcel from R-1, Single Family to C-1, Local Business; but determined that it is not ideal to extend the commercial zoning further into this neighborhood, specifically for this use.

**Ms. Stromberg** stated instead staff suggested the petitioner apply for a special use permit to allow the vacant parcel to be used as additional parking area for the petitioner's business, since that is a provision that is already in City code, provided he complies with setback and other code requirements. A special use permit allows the City to place stipulations on the permit that will need to be complied with in order to maintain the permit. It will also allow the lot to be developed with a single-family house in the future if this business relocates, as the lot will still be zoned residential.

**Ms. Stromberg** stated automobile parking lots for off-street parking spaces for any use on adjacent land is a permitted special use in the R-1, Single Family zoning district, provided they meet setback and screening requirements, subject to the stipulations suggested by staff.

**Ms. Stromberg** stated the petitioner is seeking this special use permit to provide the parking he needs for his business, which will also increase visibility for those traveling along Fairmont Street, as the vehicles will no longer be parked on Fairmont Street. The petitioner has submitted a site plan and landscape plan which show the required setback separation required from the neighboring residential property and the street right-of-way, which will also allow for the installation of a fence, landscaping and a rain garden.

**Ms. Stromberg** stated City staff has not received any comments to date from neighboring property owners.

**Ms. Stromberg** stated City staff recommends approval of this special use permit, as automobile parking lots for off-street parking spaces for any use on adjacent land is an approved special use in the R-1, Single Family zoning district, with stipulations.

**Ms. Stromberg** stated staff recommends that if the special use permit is granted, the following stipulations be attached:

1. The petitioner to obtain a land alteration permit from the City's engineering staff prior to start of construction of parking area.
2. The petitioner shall obtain any required permits from the Coon Creek Watershed District.
3. The new parking area, curb, gutter, fence and landscaping shall be installed by September 30, 2016.

**Commissioner Oquist** asked what is a land alteration permit?

**Ms. Stromberg** replied, that permit is issued through the City's engineering department and it is used any time there is a certain amount of dirt being moved. A land alteration permit may be issued any time a new parking lot goes in or a driveway goes in. Any time there is a lot of land disturbance, the City requires the property owner to get a land alteration permit through the City's engineering department.

**Commissioner Oquist** stated that would be the amount of dirt that has to be removed to put the asphalt into the parking lot.

**Ms. Stromberg** stated yes, and the City's engineers will review for storm water and to make sure they are in compliance with all those requirements.

**Commissioner Hansen** asked regarding the rain garden, is the applicant going to be responsible for the long-term permanent maintenance of the rain garden?

**Ms. Stromberg** replied, right, yes.

**Commissioner Sielaff** asked Ms. Stromberg to go back and show the aerial. When looking at it, putting in the new parking lot, he asked then would the vehicles park closer to the boundary?

**Ms. Stromberg** stated, correct, the landscape plan she showed on the previous screen was specific to 513 Fairmont Street address. Which means that 25 feet from the property line is where the rain garden would be situated; and 10 feet on either the north side and the west side of the property will be landscaping and fencing. Then the interior area would be where the parking lot and drive aisles will be.

**Chairperson Kondrick** stated it looks like the petitioner will be able to roughly double his current parking capabilities.

**Ms. Stromberg** stated that is certainly likely and he won't be parking in the boulevard or across the lawn like he is right now.

**Commissioner Hansen** asked how many vehicles are planned to be parked? Looking at the dimensions of the layout, he figured about 7 or 8. Based on the aerial the petitioner has about 8 trucks, will that be about the same?

**Ms. Stromberg** stated she is not sure whether the petitioner has any plans to expand his fleet. He does own 8150 East River Road and 505 Fairmont Street as well, so there are additional parking opportunities on those lots.

**Chairperson Kondrick** asked the petitioner how many more vehicles are necessary for him to do a business?

**Steve Witzel**, Mobile Maintenance, Inc., replied they actually have less vehicles now than is shown on the aerial. They have worked out an agreement with the laundry business next door, for additional parking spots if needed. They will typically park the employees' vehicles at the laundromat as they have extra parking there.

**Chairperson Kondrick** asked if acquisition of this land will be used to help him have his employees parking there as opposed to the laundromat's lot?

**Mr. Witzel** stated that many employees now bring their vehicles home so less employee's cars need to be parked on site, but the new parking plan will work. He stated it will increase the safety as well because they will have more room to move around in the parking lot and when looking both directions on the street. The flow will be a lot better as well.

**Commissioner Sielaff** asked Mr. Witzel there will be adequate parking for his vehicles and the employees?

**Mr. Witzel** replied, yes, and they have actually encouraged several of their employees to take their vehicles home now.

**Commissioner Hansen** asked are these vehicles that are in continuous use or are they in storage?

**Mr. Witzel** replied, at any given time he has two extra vehicles in case a vehicle breaks down. In the past City staff noticed inoperable vehicles with the tabs expired. They were not sitting there on blocks with no motors or tires, etc.

**Chairperson Kondrick** asked the petitioner if he had an opportunity to see and explore the stipulations that were suggested?

**Mr. Witzel** replied, yes.

**Chairperson Kondrick** asked Mr. Witzel whether he had any problems with them?

**Mr. Witzel** replied, no. The only thing that has been a little bit of an issue which really is not relevant here is that he's learned anything one acre or less is not required to have a permit from the Watershed, but the Watershed is insisting he has one anyway.

**Ms. Stromberg** replied, she knows Mr. Witzel has been working with the Watershed on this discrepancy.

**Mr. Witzel** replied, his engineering firm pointed this out. They suggested to him he did not need an engineer because of the size of the lot, the Watershed does not need a plan. However, at the end of the day he will jump through whatever hoops he feels are necessary to accomplish this.

**Commissioner Ostwald** asked why would the Watershed be involved? The property is not next to the river or drainage, etc.

**Mr. Witzel** stated anytime anybody does any dirt work within the watershed the watershed district requires that a permit process be followed. He is not sure it is applied to everyone but is to him because it is a commercial lot.

**Commissioner Hansen** stated he has some background with the Watershed and from their prospective if this property were developed today it would have these types of requirements, like a rain garden. Therefore, when applications of this nature come in they look at trying to bring up the whole site into current standards. A rain garden is a good thing as long as it is maintained.

**Mr. Witzel** stated when the engineer he hired suggested as they were going to need to do an underground water tank and a lift station, that is when he became concerned, because it would cost him more to comply with the Watershed than it would for the whole project.

**Chairperson Kondrick** stated they understand his position.

**Joe Fulton**, 520 Glencoe Street NE, stated he lives on the property just north. Obviously the view is going to change which is not an ideal situation, as it is just an empty lot right now. They are shifting parts of the commercial business over into a residential lot so that becomes his backyard. Granted he understands there is going to be fencing, etc. He did get a copy of the site plan but it does not state what the fence height will be and how it is going to appear.

**Mr. Fulton** also asked if the use of the lot has the potential to change. Is it strictly going to be parking or are they going to allow for storage of things back there? He just wanted a better understanding of the request. It is not an ideal situation coming into a residential area. The parking lot will have a lot more traffic and cars coming in and out all the time. He wants to make sure it is convenient for everybody.

**Commissioner Oquist** stated it seems to him if they build an appropriate fence it is going to help block things. There will be a fence and some plantings. It might be better for Mr. Fulton that way so he is not directly looking at a building.

**Commissioner Kondrick** asked Ms. Stromberg how tall does the fence have to be?

**Ms. Stromberg** stated the maximum height on the fence is 8 feet. She is assuming the petitioner is planning on doing a 7 or 8-foot fence. She does not typically see anything shorter in a commercial zoning

district. The 513 Fairmont Street lot would only be allowed to have parking related to this business. That is specifically what the special use permit is for. If anything were to change, Mr. Fulton would be notified again because there would have a hearing. The petitioner is allowed the outdoor storage area on 505 Fairmont Street address. That cannot expand or change without coming back to Council for further review.

**Mr. Fulton** stated that it would be a concern if the business continued to expand. When it is going from residential to commercial it might be the first step of other things that could eventually happen.

**Commissioner Oquist** stated, first of all, they are not rezoning property. They are just giving him a special use permit. If the petitioner wanted to change anything on that property, it would have to come before another hearing. He can only use that as a parking lot. He cannot expand on it, etc.

**Commissioner Heintz** asked Ms. Stromberg whether the petitioner will have to match the fence that covers the outdoor storage now on the north side now or tie into it.

**Ms. Stromberg** replied, she is not exactly sure what the material type is of the fence on the north side. The petitioner would not have to tie into the exact same material. She would suggest that he does do that if it is in good condition. She would not want to stipulate it be the exact same material without knowing the condition of the material.

**Mr. Witzel** stated it is a dog-eared cedar fence now. They would match the fences. He is considering the plastic fence panels which are white and maintenance free as an option too. He honestly thinks it will be better when it is done because right now the trucks are parking there; and there is nothing to shield the headlights at night, etc. He thinks it will look 100 percent better than it has in 10 years because he could not use it for anything so all he did was mow the grass.

**Chairperson Kondrick** asked how tall of a fence is he planning on putting in?

**Mr. Witzel** replied, 6 to 8. Probably 8.

**Chairperson Kondrick** stated "8" would be best.

**Mr. Witzel** replied, yes.

**Chairperson Ostwald** asked about the 10-foot buffer zone between, does he maintain that space between the chain link fence on the north side and then have the wood fence. The petitioner would make sure and keep that maintained all the way around otherwise Mr. Fulton will be looking at a pile of weeds back there.

**Mr. Witzel** replied, Mr. Fulton has slats on his fence as well. In any case they plan on maintaining it. If they need to they will put rain garden there. If they do not it, they will have grass.

**Chairperson Kondrick** stated to the petitioner it sounds like he is going to be a good neighbor.

**Mr. Witzel** replied, he tries to.

**MOTION** by Commissioner Oquist to close the public hearing. Seconded by Commissioner Heintz.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE PUBLIC HEARING WAS CLOSED AT 7:30 P.M.**

**MOTION** by Commissioner Sielaff approving Special Use permit, SP #1604, by Mobile Maintenance, Inc., to allow the construction of a parking lot on a lot zoned R1, Single Family, for the purpose of parking vehicles related to the petitioner's business, generally located at 513 Fairmont Street NE with the following stipulations:

1. The petitioner to obtain a land alteration permit from the City's engineering staff prior to start of construction of parking area.
2. The petitioner shall obtain any required permits from the Coon Creek Watershed District.
3. The new parking area, curb, gutter, fence and landscaping shall be installed by September 30, 2016.

Seconded by Commissioner Ostwald.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**Mr. Fulton** asked about the security lights in the parking lot.

**Chairperson Kondrick** asked whether the City has any provisions as to lighting?

**Ms. Stromberg** replied City Code does regulate lighting. Even if they do not have a stipulation on this request, if he were to call or let the City know there was a glare or light issue, that is something the City would definitely be able to handle.

**Mr. Witzel** replied, he didn't think he was going to install lighting in the back, but if he did it would be facing his property and would be motion sensed.

**Ms. Stromberg** stated the City's lighting code also does require that lights be shielded and downcast so it could not shine across the property line.

**2. PUBLIC HEARING:**

**Consideration of a Public Hearing for a Special Use Permit, SP #16-03, by TCO Design, to revise special use permit, SP #15-09 that was approved to allow a 23 patient room home health care building in an R-3, Multi-Family zoning district, to increase the amount of patient rooms to 28. The overall size of the building won't change, just the layout within the inside of the building, generally located at 5300 4th Street NE.**

**MOTION** by Commissioner Sielaff to open the public hearing. Seconded by Commissioner Hansen.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE PUBLIC HEARING WAS OPENED AT 7:34 P.M.**

**Ms. Stromberg** stated the petitioner, Todd Ofsthun, with TCO Design, on behalf of Gen One, LLC, who are the properties owners of 5300 and 5310 4<sup>th</sup> Street NE, is seeking a special use permit to modify the special use permit that was originally approved by the City Council on September 28, 2015 and March 9, 2015 to allow the construction of a comprehensive home care building on the subject properties.

**Ms. Stromberg** stated since the September 28, 2015, approval, the property owners are in the process of hiring Welcome Home Management Company to manage the facility and Americana, to finance the project. Based on their expertise with this type of a facility, they are modifying the special use permit to increase the amount of beds from 24 to 28. The increase in beds directly relates to the financing for this project and an increased interest and demand for this type of facility.

**Ms. Stromberg** stated the following are changes since the September approval:

- The building footprint has been reduced from 5,732 square feet to 5,730 square feet.
- The number of patient beds has been increased from 24 to 28.
- Each patient room now has a bathroom.
- The larger day/gathering room space and kitchen has been moved to the main floor.
- The second and third floors have the patient rooms, with areas for medicine/laundry and storage.
- The amount of parking stalls provided is 16, which is the same number that was provided for the last request. Based on assurances from the management company the property owner is planning to use, the 16 stalls should be more than adequate for staff and visitors. Because of the medical conditions the patients have, they are unable to drive. The shape of the building has become more narrow and elongated on the site, still complying with lot coverage, and setback requirements.
- The overall height of the building and the use, as a comprehensive home care building, will remain the same.
- The existing garage will remain and be renovated – same as other request.
- The building will only be accessed from 4<sup>th</sup> Street through the use of a sidewalk – same as other request.

**Ms. Stromberg** stated the subject property is zoned R-3, Multi-Family and has been since the City's first zoning map. The majority of this neighborhood (east of University Avenue, north of 53<sup>rd</sup> Avenue, and west of 7<sup>th</sup> Street) is zoned R-3, Multi-Family, with some parcels in the middle of the neighborhood zoned R-2, Two-Family and parcels on the east edge zoned R-1, Single Family. Within this neighborhood is a mix of single-family homes, duplexes, 4-plexes and larger unit buildings. The Bona Brothers property on the corner of University Avenue and 53<sup>rd</sup> Avenue was rezoned from R-3, Multi-Family to C-2, General Business in 1971 and 1999 to allow that use to exist.

**Ms. Stromberg** stated hospitals, clinics, and convalescent/nursing homes are a permitted special use in the R-3, Multi-Family zoning district provided that the proposed project complies with the requirements for the special use permit, subject to the stipulations. The proposed use as a comprehensive home care use is most comparable to a convalescent home or assisted living use and therefore staff has determined that a special use permit would be required for the proposed use to exist on this site.

**Ms. Stromberg** stated the proposed facility will have a Comprehensive Home Care Provider License through the Minnesota Department of Health.

**Ms. Stromberg** stated the patients using the facility will be recovering from surgery, transplant (pre-op and post-op) or another type of medical procedure that leaves them needing extensive rehab and medical services. This type of use is needed for patients, who for medical reasons, can't be on their own and do not have family or friends who can care for them.

**Ms. Stromberg** stated based on the slope of the lot, the building will look like a 3-story building from the alley and more like a 2 ½ -story building from 4<sup>th</sup> Street. The ground floor will have (3) separate bedrooms, the second floor will have (13) separate bedrooms, and the third floor will have (12) separate bedrooms, so the building has the ability to house a total of 28 patients.

**Ms. Stromberg** stated Code would require 13 parking stalls for a nursing home use and 14 parking stalls for an assisted living use, therefore the site plan meets code requirements. The petitioner will be providing 16 parking stalls, 6 will be mostly covered under a cantilever roof and the other 10 stalls will be surface parking stalls. Based on assurances from the management company the property owner is planning to use, the 16 stalls should be more than adequate for staff and visitors. Due to the medical conditions the patients have, they are unable to drive.

**Ms. Stromberg** stated the previous site plans submitted by the petitioner did comply with code requirements for parking. The neighbors, the Planning Commissioners and staff did have some concerns as to whether there would be enough parking with staff, plus visitors, and any other specialized staff needed for the patients. Therefore, the petitioner has gone above and beyond what code would require for parking, in order to help alleviate any concerns. The proposed plan has 16 parking stalls, which is 3 over what code would require for a nursing home use and 2 over what would be required for an assisted living use.

**Ms. Stromberg** stated when approving a request like this, staff wants to make sure there is adequate parking provided on-site and that the use is not dependent upon on-street parking. The 16 parking stalls will be adequate for staff and visitors, however since the street is not signed "No Parking", it is likely that from time to time visitors will park on the street. This is acceptable, provided it does not start becoming a problem. Staff will keep the stipulation previously placed on the special use permit that states if on-street parking becomes an issue for this site, the special use permit will need to go back before the City Council for further review.

**Ms. Stromberg** stated the special use permit will also need to go back before the Council for review if in the future the use of the building is changed. The building as designed couldn't work if people residing in it did not have health conditions that did not allow them to drive.

**Ms. Stromberg** stated City Staff recommends approval of this special use permit request as hospitals, clinics and convalescent and nursing homes are a permitted special use in the R-3, Multi-Family zoning district.

**Ms. Stromberg** stated staff recommends that if the special use permit is granted, the following stipulations be attached:

1. The petitioner shall obtain a demolition permit prior to removal of the existing house on the 5300 4th Street property.
2. The petitioner shall obtain all necessary permits prior to construction.

3. The petitioner shall meet all building, fire, and ADA requirements.
4. City engineering staff to review and approve grading, drainage, and utility plan prior to issuance of a building permit.
5. Landscape and Irrigation plan to be reviewed and approved by City Staff prior to issuance of building permit.
6. If on-street parking becomes an issue as a result of this use, the special use permit and options for additional parking shall be further reviewed by the City Council at the owner's expense.
7. If the comprehensive home health care use changes, the special use permit shall be further reviewed by the City Council at the owner's expense.

**Commissioner Sielaff** asked whether there are any different parking requirements being that there are more beds?

**Ms. Stromberg** stated they are proposing the same amount of parking stalls as the previously request, with the addition of 4 more beds the request will still comply with parking requests as City Code requires 13 parking stalls for nursing homes and 14 parking stalls for assisted living with that many beds. The petitioner is providing 16 so they are over what Code would require based on the amount of beds they have.

**Commissioner Sielaff** stated for 28 beds they meet the Code.

**Ms. Stromberg** replied, they do.

**Commissioner Sielaff** stated but they still have the same amount of parking spots. So they had too many parking spots previously.

**Ms. Stromberg** stated, they had more than code would require. If the Commission remembers the first time the petitioner came through there was a lot of concerns about parking and where people were going to park if the therapist came and with shift changes, etc. Now the petitioner is working on hiring this other group that manages these types of facilities already and they can answer questions about parking needs. There was some data provided in the Commissioner's packet as to the amount of employees on each shift and what happens during a shift change, etc. She believed the petitioner also has people here tonight who can answer parking related questions. The petitioner felt there was not a need to add even more parking than what they are proposing.

**Commissioner Sielaff** stated he remembered they talked about off-street parking. That is not an issue anymore?

**Ms. Stromberg** replied the street is not marked "No Parking". Occasionally a visitor may park on the street. If it becomes an issue then the City will have to further review the special use permit because it is not working then.

**Commissioner Hansen** stated he cannot quite tell from the plan, but is there a rain garden or anything like that proposed on the site?

**Ms. Stromberg** replied, there should be a copy of the landscape plan in their packet. The petitioner has been working very closely with Kay Qualley, Environmental Planner to design the landscaping and the necessary storm water treatments.

**Commissioner Hansen** in part of the analysis it talks about telemedicine. He did not know what that is and perhaps the applicant can clarify that.

**Ms. Stromberg** replied, the petitioner would be able to best answer that question.

**Chairperson Kondrick** stated when they were going from 24 units to 28, there will be curious as to whether the parking was going to be enough as was the concern the first time this request was heard. It is only logical for people to assume that might become a problem. He wants to have that explained more. He knows what Ms. Stromberg said the Code is, etc.; but the City Council will be asking this very same question. Is there going to be enough parking because the citizenry around there is going to want to know what is going on, especially when they hear there are going to be more beds. If there is enough parking, great. He wants to hear why there isn't and how they can allow that.

**Todd Ofsthun**, TCO Design, stated in regards to telemedicine, he thought they had that taken out of the most recent request. If not, he apologizes. At this point they do not want to commit to telemedicine. Telemedicine is a way for registered nurses to take care of patients through interactive discussions with doctors that are connected through the TV, kind of like Skype. Doctors and even registered nurses can consult personal care providers on site where the patient is without coming to the site. This feature is something they may look at doing in the future.

**Mr. Ofsthun** stated one of the people he has with him tonight, is Dean Bloemke who owns Welcome Home Management Company, and he will be managing the new concept assuming it gets approved. The owner, Nate Running, is also here and he can answer some questions as to how they got to this point. One person who is not here but was at the staff meeting was Susan Hanson with Americana Bank and basically she stated the same thing as Mr. Bloemke, that the new concept would be financed. They had already gone through the process of the review and looking at the building with the owners and said, yes, we will approve that.

**Mr. Ofsthun** stated they also have some representatives from the construction company regarding building site construction and materials, etc.

**Chairperson Kondrick** asked Mr. Ofsthun if he heard what he had to say about parking. This is a concern to the Commission and it will be to the City Council.

**Mr. Ofsthun** replied, yes, and they will address that. They did go over what code required for parking in the past and even though they are increasing the units, the felt the amount of parking stalls was still adequate, but Dean Bloemke can better answer this question as he runs similar facilities by Welcome Home.

**Chairperson Kondrick** asked Mr. Ofsthun if he or his staff had any problems with the stipulations? He asked if he understands them?

**Mr. Ofsthun** replied, yes.

**Nathan Running** stated when they originally started with this project he thought he could hire a local, smaller management company that could run the facility for them because this is not his area of expertise. The company he was originally talking to overstuffed the building so that is where the parking concern came into plan. Then through the process of getting the approval from his local bank, Americana Bank, the owner of that bank actually owns a couple of these facilities that Welcome Home Management manages. So through this process he had an opportunity to meet Dean Bloemke who runs Welcome Home Management and, after much dialogue back and forth, they determined they did not need the number of staff they originally thought they needed. They thought they needed five more staff members than they actually do to run this facility. That is a product of finding the right management company who understands the staffing needs.

**Mr. Running** stated he had Dean Bloemke join them tonight. He owns some facilities, manages some facilities that are a similar size to this project. He's here to help answer parking questions and needs.

**Commissioner Sielaff** asked how many are they reducing the staff by?

**Mr. Running** replied, they were at 12 and now they are down to 8 at the maximum.

**Dean Bloemke**, Welcome Home Management Company, stated he has been in the assisted living business for about 25 years. He was one of the first people to get into the business in the state. They manage properties all over Minnesota. He has a number of interests in different companies. The first one was Welcome to Our Home as a development company and they went out and built different models of different assisted living starting 25 years ago and they converted a dormitory style building into an assisted living. They are now up to 75 assisted living buildings.

**Mr. Bloemke** stated the industry has kind of oversold the assisted living. You see the Taj Mahals out there, but the care that is needed almost goes back to where they originally started at 25 years ago. That is the very small 25-30 units where you can get the specialized care and really take care of what the patient needs. There is the social model and the medical model. They chose the social model which has a very nice environment, nice living spaces, lots of common areas so people can interact with each other; and they built two of those. One is in Hutchinson and one is in New Ulm. Each one has 18 parking spaces. They have found the parking spaces to be adequate as long as the director ensures that the non-used cars from people who come into this level of care are no longer driving cars as they are generally done with them.

**Mr. Bloemke** stated the maximum number of people they have planned on a weekday is 8. That is 4 care providers (2 per floor), a cook, a community life coordinator, a registered nurse, and an executive director. From there the numbers go down and the p.m. goes to 6 and then to 4. On the weekend they eliminate the executive director. He really believes they have adequate parking based on their experience and what they have seen in the past.

**Mr. Bloemke** stated they are talking about using a comprehensive care license in Minnesota. That is the assisted living license. The use of the property as proposed is truly assisted living, and that parking requirement is 14.

**Chairperson Kondrick** stated so the State of Minnesota is comfortable with the care they are providing for those that are within facility.

**Mr. Bloemke** stated they are well-respected within the State. That is not to say they have not had some issues where he has about 650 apartment units they are managing right now. He has somewhere around 350 employees. Issues come up, and you have to resolve issues. They have all been corrected and are working together and are still here working as a business. They have developed properties in Minnesota, Wisconsin, Iowa, and Arizona.

**Commissioner Heintz** asked what about on a holiday or even a nice spring day and people want to come visit there, what about the parking?

**Mr. Bloemke** replied, on this type of property, if they have an event or they invite people in, there is going to be an issue with adequate parking. He does not think there is a possibility they would ever find enough parking for something like that. They may have to bus people from another parking lot. Typically you get one or two or three visitors at a time, and they kind of space themselves out. Some visitors come at night, some come Saturdays, some come Sundays. Some come once a week and some never have visitors.

**Chairperson Kondrick** stated there is still on-street parking that can be used for a short period of time.

**Paul Laes**, 5400 4<sup>th</sup> Street NE, lives just down the block. This is the first time he was notified of this building going in at that location. He does have a locked mailbox but he always checks his City mail when it comes in, for the water bills, and he is an election judge so he has to pay attention to it.

**Chairperson Kondrick** asked staff is Mr. Laes beyond the 350?

**Ms. Stromberg** replied, yes he is.

**Chairperson Kondrick** stated as a matter of rule, in a situation like this, the City sends out mailings to people who live within 350 feet.

**Mr. Laes** replied he is right on the edge.

**Mr. Laes** stated he is going to hit on the parking because he lives there, he drives up and down the street, two and three times a day. The main entrance to the parking area is off 53rd Street. That is the main thoroughfare, and that is going to get jammed up every day. You have the two gas stations, the little frontage road there, the car dealership, the liquor store. Traffic jams up every day. Once every two months there is an accident at that corner of University and 53rd. Now we are increasing traffic there so anybody coming off University to try and turn in during that time period could get caught up and cause more problems.

**Mr. Laes** asked where is the petitioner going to put the snow from those lots? That is a lot of snow. That alley is not that wide, and it is long. He saw the numbers on staff, 8, 6, and 4. That means at any given time during the day there will be 14 parking spots filled. If any guests come they use up the different ones so it is going to be overflow. The main entrance is on 4th Street so everybody who is parked in the parking lot has to walk all the way around the building. Human nature being as it is, people are lazy and will park on 4th Street. That intersection on 4th and 53rd is hard to get through anyways during rush hour. They are going to run into a major problem there.

**Mr. Laes** stated who is going to do maintenance on the alley? There are potholes on it now. Also there is going to be truck traffic to bring food in there, medical material, deliveries, ambulance, etc. Now they are just going to increasing it more. Just with the staff that is 36 times more going in and out of the driveway parking area there and then you got the trucks.

**Mr. Laes** stated parking will be an issue. He has been dealing with parking for his military career so he knows parking is a problem on this here. Plus he is sure the people who live across the street did not plan on having to look at an apartment building across the street from their house.

**Mr. Bloemke** stated he appreciates Mr. Laes' comments as to the parking and the alley, but they can be mitigated a number of different ways. The first thing that could be done is they can have their shift changes sometime other than rush hour. They do not have to have shift changes at 7 and 4. They can do it at 5 a.m. and 2 p.m. or whatever to avoid rush hour. Another thing they can do is staggered shift changes. Not have eight people going on a shift at one time. They have one person going off now and one person going off then, and in their operations it is really helpful because the memory of what happened in a building that day does not go out the door with the shift change. If someone else was involved in that subject, somebody goes off and somebody goes on, you have a meshing of the memory for the institution every day.

**Chairperson Kondrick** asked petitioner to address the snow removal.

**Chairperson Oquist** asked regarding the people parking around the back on the west side of the building where the parking stalls are, that they would have to walk around to the front. He noticed that on the Plan there is an entrance on that lower level. Is that open to the public?

**Mr. Ofsthun** stated as to snow removal, there are several, granted small, spots on the site. Like in most businesses on these kinds of lots, when they get bigger snows they temporarily push it aside and then remove it and store it off-site somewhere.

**Mr. Ofsthun** stated as to the entrance, yes, the entrance on the east side on Fourth Street is only an emergency exit/entrance. The main entrance will be on the west side. That is where all the guests, staff, and all the parking will be.

**Chairperson Kondrick** asked if someone wants to visit a patient in the building and parks on 4<sup>th</sup> Street, they have to walk around to the back of the building to gain entrance?

**Mr. Ofsthun** replied, that is correct. However, Mr. Laes was suggesting the other way - parking it the alley and then walk around.

**Mr. Laes** stated it says in the specs, building will only accessible from Fourth Street through the use of the sidewalk same as the other request.

**Ms. Stromberg** stated what that sentence meant is you would only be able to walk up to the building through a sidewalk from 4<sup>th</sup> Street. There would not be a driveway coming off 4<sup>th</sup> Street.

**Commissioner Oquist** asked the entrance would be locked then?

**Mr. Ofsthun** replied, yes, it is an emergency exit. There were a lot of things they went over fairly quickly tonight, since this request has been before this commission before, and there was a lot of conversation about the quality of the building, the quality of the materials, the upkeep, it is going to be landscaped very nice and kept up very nice because that is what the families want.

**Commissioner Heintz** asked Ms. Stromberg if Bona Brothers still has the car wash there?

**Ms. Stromberg** replied, yes.

**Commissioner Heintz** asked whether there is any problem with that alley with them? People lining up to get access? The other thing that Mr. Laes brought up was ambulances, trucks entering and unloading food and that type of stuff.

**Mr. Bloemke** replied, essentially they have two deliveries a week. One food delivery truck and, from their experience with working with their suppliers, they can put it in any time day or night.

**Mary Ann Laes**, 5400 4<sup>th</sup> Street, stated just an observation. Bona Brothers is currently using part of the empty lot for storage of their cars.

**Chairperson Kondrick** asked her what does she suppose will happen when this building goes up?

**Ms. Laes** replied, Bona Brothers is going to need to find parking elsewhere and she wonders where that will be.

**Chairperson Kondrick** replied, they are aware of that. It came up last time they spoke.

**Commissioner Oquist** stated, yes, and staff was going to tell them to get their cars off the lots.

**Ms. Stromberg** replied, staff has and she thinks the owners have.

**Mr. Running** stated at the staff meeting they talked about this, and they got approval from the bank and the title company to put a fence up so there is a fence around that property now.

**Mr. Laes** asked how does this affect the property values in the neighborhood?

**Chairperson Kondrick** replied, he is not sure; but he would say this is going to be a sharp-looking building. It is not going to be a piece of junk that the Commission would be disappointed in having. They have insisted the petitioner jump through a lot of hoops to make sure the building will not be too tall, it will have an exterior that is nice, and one that the neighborhood could be proud of it. It sure serves a worthwhile purpose for people in their particular health condition.

**Mr. Laes** asked who is to maintain putting down blacktop and filling potholes?

**Chairperson Kondrick** stated this is a City alley. He is assuming the City is going to be doing the plowing and fixing it up and take care of things as neighbors complain.

**MOTION** by Commissioner Heintz to close the public hearing. Seconded by Commissioner Oquist.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE PUBLIC HEARING WAS CLOSED AT 8:17 P.M.**

**Commissioner Oquist** stated they had a lot of good discussion tonight which was what they have talked about before. However, this special use permit is only to allow an increase in units from 23 to 28.

**MOTION** by Commissioner Sielaff approving Special Use Permit, SP #16-03, by TCO Design, to revise special use permit, SP #15-09 that was approved to allow a 23 patient room home health care building in an R-3, Multi-Family zoning district, to increase the amount of patient rooms to 28 with the following stipulations:

1. The petitioner shall obtain a demolition permit prior to removal of the existing house on the 5300 4th Street property.
2. The petitioner shall obtain all necessary permits prior to construction.
3. The petitioner shall meet all building, fire, and ADA requirements.
4. City engineering staff to review and approve grading, drainage, and utility plan prior to issuance of a building permit.
5. Landscape and Irrigation plan to be reviewed and approved by City Staff prior to issuance of building permit.
6. If on-street parking becomes an issue as a result of this use, the special use permit and options for additional parking shall be further reviewed by the City Council at the owner's expense.
7. If the comprehensive home health care use changes, the special use permit shall be further reviewed by the City Council at the owner's expense.

Seconded by Commissioner Oquist.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY.**

3. **Receive the minutes of the April 12, 2016, Environmental Quality and Energy Commission Meeting.**

**MOTION** by Commissioner Ostwald to receive the minutes. Seconded by Commissioner Hansen.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY.**

4. **Receive the minutes of the April 4, 2016, Parks & Recreation Commission Meeting.**

**MOTION** by Commissioner Heintz to receive the minutes. Seconded by Commissioner Sielaff.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**OTHER BUSINESS:**

Planning Commission Meeting

May 18, 2016

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**Ms. Stromberg** stated the lot split and special use permit from last month's meeting were approved by City Council.

**Ms. Stromberg** introduced the City's code enforcement intern, Natasha Lukacs. She is going to be doing residential and commercial/industrial inspections.

**Commissioner Oquist** stated she can send letter out regarding code violation?.

**Natasha Lukacs**, Code Enforcement Intern, replied, yes, she has sent out a lot of letters already and it is Week 3.

**Chairperson Kondrick** stated they have had good success in the past with that. Most times it is necessary.

**Ms. Stromberg** also acknowledged their new commissioner, Mark Hansen. He is the new Chair of the EQEC.

**ADJOURN:**

**MOTION** by Commissioner Oquist to adjourn. Seconded by Commissioner Ostwald.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON KONDRICK DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED AT 8:23 P.M.**

Respectfully submitted,

Denise M. Johnson  
Recording Secretary