

CITY OF HANOVER  
PLANNING COMMISSION MEETING  
JANUARY 9, 2012 APPROVED MINUTES

Chairperson Schendel called the January 9, 2012 Planning Commission Meeting to order at approximately 7:00 p.m.

**Call to Order**

Members present: Karsten, Schendel, Smola, Spraugel and Zanetti.  
Members absent: None  
Staff present included City Council Liaison Malewicki, City Planner Cindy Nash, and City Administrator Buchholtz  
Others present included Geoff Tuttle, PHS West

Buchholtz gave the Oath of Office to Commissioner Dawn Spraugel.

Chairperson Schendel introduced the agenda for the Planning Commission Meeting.

**Approval of Agenda**

**MOTION** by Spraugel, second by Karsten, to approve the agenda.

Voting aye: Karsten, Schendel, Smola, Spraugel and Zanetti  
Voting nay: none  
Motion carried: 5:0

**MOTION** by Spraugel, second by Zanetti, to approve the minutes from the December 12, 2011 Planning Commission Meeting.

**Approval of Minutes**

Voting aye: Karsten, Schendel, Smola, Spraugel and Zanetti  
Voting nay: none  
Motion carried: 5:0

**ELECTION OF OFFICERS**

**Election of Officers**

**MOTION** by Schendel, second by Spraugel, to appoint Zanetti as Chair and Smola as Vice Chair.

Voting aye: Karsten, Schendel, Smola, Spraugel and Zanetti  
Voting nay: none  
Motion carried: 5:0

Zanetti took over as Chair of the meeting.

**CITIZEN'S FORUM**

**Citizens Forum**

No citizens wished to be heard.

**PUBLIC HEARING**

**Public Hearing**

**Public Hearing to Consider Ordinance Amending Article 52 Allowing Limited industrial Uses in the Downtown River District**

Public Hearing to Consider Ordinance Amending Article 52 Allowing Limited industrial Uses in the Downtown River District

Zanetti recessed the Planning Commission meeting and opened the public hearing at 7:05pm to consider an ordinance amending Article 52 to allow limited industrial uses in the Downtown River District. Nash provided an overview of the ordinance, which would allow, by CUP, limited industrial uses to run alongside office and warehousing uses in the B-1, Downtown River, District. She stated that the use would need to meet five criteria:

- The site and related parking/service entrances must be served by a street of sufficient capacity to accommodate the type of traffic that will be generated.
- The total square footage of the buildings on the property subject to the

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Conditional Use Permit (CUP) shall not exceed 10,000 square feet.

- The Limited Industrial use may not occupy more than 33% of the total square footage of the buildings on the parcel.
- Office uses of the building on the parcel must occupy more square footage than the Limited Industrial uses
- The Limited Industrial Uses must not operate later than 9pm nor earlier than 6am.

Nash stated that the ordinance amendment would be needed to allow for the expansion of the current use on the PHS West site.

Spraungel inquired about the definition of Limited Industrial. Nash stated that Limited Industrial uses are office, wholesale or retail trade, warehousing, show room uses. She said it also includes processing, manufacturing and fabricating.

Zanetti asked if other conditions could be added to the ordinance other than the five that were presented. Nash answered affirmatively. Zanetti suggested that a condition be added that prohibits no outdoor storage. Nash noted that the B-1 District does not allow for outdoor storage. She said it would be helpful to restate it so there is no question about that standard.

Smola asked if this ordinance could be applied to other buildings in the Downtown River District. Buchholtz stated that this language could make it easier to fill the vacant Cummings Mobility building. Smola questioned whether Airmist Steam and Sauna may also do some assembly on site.

Malewicki expressed concern about unanticipated negative impacts of this language. He said that he wants to make sure the language is tight to prevent unforeseen consequences coming from the change.

Spraungel expressed her opposition to the proposed change. She said she felt the change would harm the City's efforts to bring retail and office development to the Downtown River District. She said that the proposed change undercuts the integrity of the City Code. She said the City should uphold the high standards of the B-1 zoning code.

Karsten stated that she has an issue with the proposed change. She said that the B-1 District is already very small. She said that the community survey highlights the need for additional small retail development. She said that the expansion of non-conformities in the Downtown River District will hinder the City's vision for a historic downtown. Nash stated that retail development will not happen in the community without a permanent daytime population. She said that population is achieved by adding jobs within the community. She said that by not allowing PHS West to expand, the end result is likely a vacant building with the corresponding loss in employees. She said that the buildings, as they sit, are not conducive to the allowable uses in the Downtown River District. She said these buildings, if left vacant, could decline, thereby creating an eyesore in the Downtown River District. Nash stated that sometimes the City's vision must be achieved incrementally. Karsten stated that she is concerned about shrinking the B-1 District. She wants to preserve the City's options to meet the expectations of its citizens.

Spraungel noted that there are a number of obstacles to make this project work. She stated that this expansion is very difficult. Spraungel asked if the City tried to move the business into the City's industrial park. Buchholtz stated that the EDA did work with PHS West on moving to the proposed industrial park but that it was not cost-effective at this time. He said there is nothing in the existing

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industrial park that meets the needs of PHS West.

Buchholtz stated that there are a number of positives to this project. He said that the project will result in a number of jobs being created, create a façade that meets the City's "brick or better" requirements, and reduce the number of garage doors facing River Road from two to one. Buchholtz stated that the City's efforts have been focused on retention and expansion, particularly after the loss of Suburban Electric and Cummings Mobility.

Spraungel inquired as to the length of time this expansion will serve PHS West. Geoff Tuttle, PHS West, stated that the expansion would allow for them to triple their current operation. He said that the building will improve the efficiency of their operation, allowing for additional growth. He said that he believed the expansion would serve the business for more than five years.

Smola stated that she appreciates the difficult position City staff faces on this issue – business retention versus preserving the integrity of the ordinance. She stated that she believes that the proposed expansion would be an improvement over what currently exists. She said the ordinance, with the conditions outlined, provides a good balance to allow for the growth of an existing business while preserving the downtown character.

Buchholtz stated that if the ordinance is approved, PHS West would still need to apply for a CUP. He said additional conditions related to his business operation could be attached. Spraugel stated that the zoning ordinance would be compromised at that point. Buchholtz noted that the area used for industrial currently is not proposed to expand. Tuttle confirmed, stating that the industrial use will move from the middle building to the south building, but noted that the two buildings are the same size. He said the new addition is mainly office. He said the loading dock allows for materials to get to the buildings from the delivery truck. Spraugel asked how the large number of variance issues would be addressed. Buchholtz stated that the majority of the variances are circumstances that exist today, such as parking in front of the building and the loading dock facing the street.

Karsten asked if the building would be brick. Nash stated that the building façade would be EIFS, which meets City Code. Spraugel stated that staff should ensure that the entire building façade, not just the front façade, meet the City's ordinance standard.

Karsten reiterated her viewpoint that she does not want to continue to compromise the City's zoning code. Nash stated that there are two positions the City can take: one is to strictly follow the existing zoning code and the other is to try to improve the situation by incrementally improving the situation. Spraugel stated that she believed the expansion does not improve the appearance of the property. Zanetti stated that the expansion will make the existing buildings more attractive; thereby improving the appearance of the downtown. Karsten wants to ensure that the downtown maintains a character that allows for its development as a retail destination. Spraugel agreed, stating that the City needs to maintain the zoning ordinance long enough to see if destination oriented development occurs. Smola stated that she sees good in the renovation of the building. She said that she sees the benefits of the expansion outweigh the downside.

Zanetti stated that this ordinance amendment allows the City to work with a local business to grow the tax base and jobs.

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Hearing no further public comment, Zanetti closed the public hearing at 8:05pm and reconvened the Planning Commission meeting.

Karsten inquired who would enforce this conditional use permit. Buchholtz responded that City staff would enforce the CUP. Karsten stated that she did not have confidence in Staff's ability to enforce the CUP.

**MOTION** by Schendel, second by Smola, to recommend approval of an ordinance amending Article 52 to allow limited industrial uses in the Downtown River District subject to the following conditions:

- The site and related parking/service entrances must be served by a street of sufficient capacity to accommodate the type of traffic that will be generated.
- The total square footage of the buildings on the property subject to the Conditional Use Permit (CUP) shall not exceed 10,000 square feet.
- The Limited Industrial use may not occupy more than 33% of the total square footage of the buildings on the parcel.
- Office uses of the building on the parcel must occupy more square footage than the Limited Industrial uses
- The Limited Industrial Uses must not operate later than 9pm nor earlier than 6am.
- No outside storage
- All industrial uses must be contained within the building.
- No hazardous materials to be used on the property.

Voting aye: Schendel, Smola and Zanetti

Voting nay: Karsten and Spraugel

Motion carried: 3:2

**UNFINISHED BUSINESS**

**Review Preliminary Sketch Plan for PHS West**

Zanetti introduced the item. Nash provided an overview of the preliminary sketch plan. She stated that the highlights of her initial review are:

- Rear yard setback variance will be required. She said the new encroachment is not exceeding the encroachment by the existing building.
- Variance from the requirement that loading areas must be screened from public rights-of-way. Nash noted that the loading areas currently exist on the front of the building.
- Exterior siding materials are proposed to be a combination of brick and EIFS (a synthetic stucco product). She said that staff would ask the applicant to bring in a sample of EIFS along with the site plan.
- Side and rear facades must be at least 50% brick or better, excluding openings and windows. She said that if it is not in the plan, it would require a variance.
- Building will need to have multiple windows, which PHS West
- Variance required to allow parking in front of the building. She said that staff will need to evaluate the concept plan to determine if there are enough spaces. Karsten asked how requirements for parking spaces were calculated. Nash stated that it is based on the square footage of the building.
- Variance to allow for garbage enclosure to be located in the front of the building. Staff will ask property owner to look at possibility of placing the garbage enclosure behind the front building line.

MOTION to recommend approval of ordinance amending Article 52 allowing limited industrial uses in the Downtown River District, subject to conditions.

**Unfinished Business**

Review Preliminary Sketch Plan

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Zanetti asked if there is any requirement to color match new buildings with existing buildings. Buchholtz answered no. Zanetti stated that it may be beneficial to talk to the owner about color matching to the existing downtown buildings.

No action was taken on the preliminary sketch plan.

**NEW BUSINESS**

**New Business**

No new business was on the agenda.

**MISCELLANEOUS/OPEN FORUM**

**Miscellaneous/Open Forum**

No one wished to be heard.

**REPORTS**

**Reports**

Schendel

- No report.

Karsten

- No report.

Spraungel

- Inquired if there would be a presentation on the Hennepin County Road 19 bicycle/pedestrian trail. Buchholtz stated that there are plans for an open house for the trail in February. She inquired about the construction date. Buchholtz stated that it appears that the Hennepin County trail will be held off until 2013, to allow for it to be bid at the same time as the Beebe Lake Regional Trail. Spraungel expressed her excitement for the completion of the two trail projects.

Zanetti

- No report.

Smola

- No report.

Malewicki

- No report.

Buchholtz

- Reported that the City received a DNR trail grant of \$500,000 for the Beebe Lake Regional Trail. He said that the State and Federal funding means that the project will require only a small local match.
- Noted that three home-based businesses have moved out of their homes and into the professional building on 4<sup>th</sup> Street.

**MOTION** by Zanetti, second by Spraungel, to adjourn the January 9, 2012 Planning Commission meeting at 8:32 p.m.

**Adjournment**

Voting aye: Karsten, Schendel, Smola, Spraungel, and Zanetti

Voting nay: none

Motion carried: 5:0

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Daniel Buchholtz, City Administrator