

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
JUNE 17, 2015

1. CALL TO ORDER

The City of Apple Valley Planning Commission meeting was called to order by Chair Melander at 7:00 p.m.

Members Present: Tom Melander, Ken Alwin, Tim Burke, Keith Diekmann, Angela Polozun, Paul Scanlan and David Schindler.

Members Absent: None

Staff Present: City Attorney Michael Klemm, Community Development Director Bruce Nordquist, Planner Kathy Bodmer, Planner Margaret Dykes, Assistant City Engineer Brandon Anderson and Department Assistant Joan Murphy.

2. APPROVAL OF AGENDA

Chair Melander asked if there were any changes to the agenda. Hearing none he called for a motion.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan, approving the agenda. Ayes - 6 - Nays - 0.

3. APPROVAL OF MINUTES JUNE 3, 2015

Chair Melander asked if there were any changes to the minutes. Hearing none he called for a motion.

MOTION: Commissioner Burke moved, seconded by Commissioner Diekmann, approving the minutes of the meeting of June 3, 2015. Ayes - 6 - Nays - 0.

4. CONSENT ITEMS

--NONE--

5. PUBLIC HEARINGS

A. Central Village West - Public hearing to consider zoning amendments to PD-739, Zone 4 to allow for publicly owned parking facilities; and rezoning of City-owned property located in the Central Village West area from PD-739, Zones 1 and 2 to PD-739, Zone 4.

LOCATION: Generally northeast of Garrett Avenue and 153rd Street W.

PETITIONER: City of Apple Valley

Chair Melander opened the public hearing at 7:01 p.m.

Commissioner Schindler arrived at 7:02 p.m.

Planner Margaret Dykes stated the City of Apple Valley owns several parcels of tax-forfeited property in the Central Village West area, generally located northeast of Garrett Avenue and 153rd Street W. These properties are currently zoned "PD -739, Zones 1 and 2" (Planned Development). The properties were zoned according to an approved 2004 development plan. The development plan was later changed and properties replatted to their current configurations, but the original zoning boundaries remained in place with the understanding that they could be modified to accommodate new development proposals.

The zone does not allow for commercial development. "PD 739, Zone 2" allows for commercial development, as well as multi-family residential development but the residential uses must be mixed in the same building as commercial uses. The properties are unlikely to develop as residential uses or an integrated mix of commercial and residential uses. "PD -739, Zone 4" would offer more flexibility by allowing stand-alone commercial and office uses. Staff also would like to amend this subzone to allow for publicly owned parking facilities. A proposal has been approved by the City Council to construct a 130-space parking lot on the 1.64 -acre lot north of the Grandstay Hotel to provide for additional parking for the Central Village, and surrounding businesses.

Chair Melander closed the public hearing at 7:07 p.m.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan, recommending approval of the draft ordinance amending PD -739, Zone 4 to allow for publicly owned parking facilities. Ayes - 7 - Nays – 0.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan, recommending approval of the draft ordinance rezoning the following properties from "PD-739, Zone 1" to "PD -739, Zone 4 (Planned Development):

- a. Parcel 1: Lot 1, Block 2, Village at Founders Circle (proposed parking lot)
- b. Parcel 2: Lot 1, Block 3, Village at Founders Circle
- c. Parcel 3: Lot 2, Block 3, Village at Founders Circle

Ayes - 7 - Nays – 0.

B. ISD 196 Transportation Hub Facility – Continue public hearing to consider subdivision by preliminary plat to create 10.22-acre parcel, conditional use permit for operation of bus storage and maintenance facility with screened outdoor storage area for no more than six (6) buses, and site plan review/building permit authorization to construct a transportation hub facility for 84 buses. **(PC15-20-SCBG)**

LOCATION: Northeast corner of Johnny Cake Ridge Road and Upper 147th Street West

PETITIONER: ISD 196

Chair Melander continued the public hearing at 7:08 p.m.

Planner Kathy Bodmer stated Independent School District 196 would like to construct a transportation hub facility on the northeast corner of Johnny Cake Ridge Road and Upper 147th Street West. The 60,000 sq. ft. facility would include a bus garage for storage of 84 buses, four bus maintenance bays, office, fenced temporary storage for a maximum of six buses, and a free standing bus wash and fueling area.

She said the public hearing for the Transportation Hub was held at the Planning Commission May 20, 2015, meeting, and left open for further comments. There were several outstanding items that needed to be addressed. Since the time of the public hearing noise, traffic, facility operations and air quality have been further studied. The studies have provided the following information:

- The arrival and departure of bus drivers and the school buses is dispersed in the a.m. and p.m. peaks. In contrast to shift work where a majority of the employees must punch a clock around the same time, the drivers and buses arrive and depart over a staggered period that ensures minimal stacking and idling within the site and on adjacent roadways.
- Noise levels are expected to be the highest during the one-hour period between 4:00 p.m. and 5:00 p.m. when all 84 buses return to the site and drive into the garage from the north overhead doors. During the morning peak, it is important that the north overhead doors remain closed to help screen the noise.
- It is expected that 18 buses would depart from the Johnny Cake Ridge Road access point (west) and 66 buses would depart from the Upper 147th Street access point (south). During the day, approximately 2/3 of the fleet would be expected to return to the site and park in the garage or on the south side of the garage.
- During the school year, peak traffic levels generated by the buses would be between 6:00 a.m. to 7:45 a.m. and 4:00 p.m. to 5:00 p.m. In the summer, the buses are expected to run between 7:00 a.m. and 4:00 p.m. with approximately 1/3 of the fleet (about 28 buses) in operation. It should be noted that the buses operate primarily Monday through Friday with only special event buses operating on weekends and during school holidays.
- The noise study indicates that noise levels generated by the facility would be noticeable to the neighborhood compared to existing noise levels today. As a result, in order to help mitigate noise impacts, the noise study is recommending the installation of an 8' to 12' tall fence along the north property line. The noise generated by the facility would not exceed MPCA noise level requirements.
- MPCA air emissions requirements would not be exceeded with this project. However, the MPCA recommends that the School District employ the following measures to ensure the best air quality: good bus maintenance, a bus replacement program, engine block heaters and use of cleaner fuels.
- Traffic levels on Johnny Cake Ridge Road and Upper 147th Street are expected to increase as adjacent vacant parcels are developed. The City's Traffic Consultant reviewed the School District's Traffic Study and confirmed that the transportation hub traffic levels are consistent with the City's previous estimates. It is expected that the Johnny Cake Ridge Road and Upper 147th Street intersection would meet the warrants for a signalized intersection in the next few years.
- The facility would be owned and managed by the School District, an entity that is accountable to the residents through the School Board. If issues arise, residents can appeal directly to the School Administration and School Board to address the concerns.

- The prevailing winds during the school year are primarily from the northwest; in the summer the prevailing winds are from the southeast when the Transportation Hub would be less busy.

Staff is working on a list of conditions that could be placed on the conditional use permit to help minimize impacts to adjacent properties:

- The transportation hub shall be screened from the residential properties to the north through a combination of an 8' to 12' tall articulated wood privacy fence with landscaping on both sides of the fence.
- The north garage doors shall remain closed until after 8:00 a.m.
- The garage doors on the maintenance bays and bus wash shall remain closed prior to 7:00 a.m. and after 8:00 p.m.
- The color of the garage doors shall be compatible with the exterior building material color to help the doors to blend in with the building design.
- The School District shall establish a contact person who would receive phone calls if neighboring properties have concerns and are negatively impacted.

Commissioner Scanlan inquired if there would be landscaping on both sides of the screening wall and if there was a landscape maintenance plan that ISD 196 would be able to maintain on the resident's side of the wall.

Ms. Bodmer answered that is an outstanding question rather the neighbors would embrace that as an opportunity for more landscaping. If not, there would be that 8' area that ISD 196 could access the back if they needed to.

Commissioner Scanlan asked if it was still the intent of the City to meet with the residents who border the north property line.

Ms. Bodmer said the City does intend to do that.

Commissioner Scanlan asked about the wood material of the fence and if concrete would be a better choice for noise control and inquired if that option had been in discussion with the applicant.

Ms. Bodmer answered that the noise studies indicated that it is height more than material that would provide the continuation of sound screening. She commented that what ISD 196 is doing by providing the articulated fence that would be a step up from just a straight wall.

Commissioner Scanlan had a question on drawings that were submitted related to trash storage dumpster area and elevations. He inquired if the dumpster area would have a vinyl fence around it.

Ms. Bodmer answered that dumpster materials are to be the surrounded by the same material as the exterior of the buildings.

Commissioner Scanlan questioned if the screening for the outdoor storage of the buses should not be the same material as the building as the dumpster area.

Ms. Bodmer stated it is not uncommon for outdoor areas to have vinyl fencing for outdoor storage area and commented there are several others in the City. She said it is a fairly small storage area and fairly small fence and staff is not concerned with this.

Commissioner Scanlan asked if that would be coordinated in color with the rest of the building.

Ms. Bodmer answered that it would need to be.

Commissioner Schindler inquired what the purpose of the outdoor storage area was.

Ms. Bodmer answered that the purpose is in the case that a bus needs repair and is out of commission because it does not have a part. The bus garage has a time flow and the concern would be that the bus could get in the way of normal day to day functioning of the garage.

Commissioner Schindler asked if the garage could be extended by a couple more lanes and have parking storage inside.

Ms. Bodmer said ISD 196 would need to answer that question.

Commissioner Burke asked who makes the choice of an 8' vs 12' fence height.

Ms. Bodmer answered that would be part of the conversation.

Community Development Director Bruce Nordquist stated staff would continue to work with the adjacent property owners as to what they prefer. He added that the difference between an 8' fence vs a 12' fence is 2 - 3 decibels.

Chair Melander inquired about measuring standards regarding noise levels.

Ms. Bodmer commented she could bring a chart to the next meeting as it relates to noise levels.

Chair Melander clarified that the public hearing was held open to get revisions and answers to questions. The wall that is talked about tonight is what we are considering. He asked if there were no other changes and nothing else had been revised.

Ms. Bodmer answered yes and that some of the final changes would be addressing some of the engineering issues because there was concern as to the access points and how they might impact.

Scott McQueen, Wold Architects, provided additional information. He described the function of the outdoor storage area as it relates to bus repairs. He reviewed the fence material and landscaping.

Commissioner Scanlan asked if returning buses in the evening had assigned locations in the bus garage. His concern was if one bus driver arrived before another that they would not be sitting in the back of the garage idling while waiting for another bus to arrive and park.

Mr. McQueen commented that ISD 196 also does not want the drivers idling the buses either but rather reduce driver time and conserve fuel consumption. He referred to the transportation coordinator to answer.

Randy Dukek, Transportation Coordinator for ISD 196, described driver routes and how buses would depart from the garage and return to the garage.

Commissioner Scanlan inquired as to the amount of noise that would come out of the maintenance bay if the doors could be shut and it could reduce the height of the wall.

Mike Erdmann, 5936 - 144th Street W., said he researched bus garages in other communities. He commented he did not have time to get appraisal values and realtor estimates for property values from licensed professionals.

Chair Melander stated the Planning Commission does not have the authority or obligation to consider property values. He said that is a City Council issue.

Mr. Erdmann expressed concerns for buses entering and exiting the property and large beeping sounds necessary for backing up. He commented that with an 8' fence residents would still be able to see the buses. He had concerns for the garage doors staying open. He showed pictures of bus garages from other communities. He requested to have the public hearing extended for more comments and would like to have more discussion on the fence.

Chair Melander commented that the Planning Commission can only consider the land use application presented before them.

Commissioner Diekmann commented that this land is an industrial zone and asked Mr. Erdmann what type of industrial application would be suitable to him if it is not this.

Mr. Erdmann answered there are a lot of different uses listed in the description of the zoning ordinance and he thought this application represented one of the worst case scenarios. His impression since he moved into his house he thought it would be a storage and freight operation. Something that is stored is a lot quieter and does not have wheels on them. He would prefer something that is a lot less busy and not a bus facility.

Cheryl Cabak, 5980 – 144th Street W., asked how the exhaust would be piped and where it was going to. She heard about decibels but not the hertz.

David Garthune, 5887 - 144th Street W., referenced a letter written to Mr. Nordquist by Jeffrey Solomon from ISD 196 regarding why this site was selected. He feels the letter raises more questions than answers.

Chair Melander commented that the Planning Commission is considering the site that was selected and not any other site. The application is for this site in particular.

Kelly Kausel, 14414 Everest Ave, expressed concerns for traffic and noise of the beeping. She feels cars will use their road to avoid the four-way stop.

Randy Dukek, Transportation Coordinator for ISD 196, commented that school buses are not required to have a back-up alarm so they do not order the buses with them. ISD 196 has a few smaller vehicles that were made with them but that is just a handful of them. The only horn that will be heard is part of the safety check to see that the horn works. Back-up beepers and horns to back up would not be occurring at this facility.

Chair Melander closed the public hearing at 8:55 p.m.

6. LAND USE/ACTION ITEMS

--NONE--

7. OTHER BUSINESS

A. Review of upcoming schedule and other updates.

Community Development Director Bruce Nordquist stated that the next Planning Commission meeting would take place Wednesday, July 15, 2015, at 7:00 p.m.

8. ADJOURNMENT

Hearing no further comments from the Planning Staff or Planning Commission, Chair Melander asked for a motion to adjourn.

MOTION: Commissioner Alwin moved, seconded by Commissioner Schindler to adjourn the meeting at 8:57 p.m. Ayes - 7 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission on 7/15/15.