

## **WORKSESSION MINUTES**

May 11, 2004

Council Present: *S. Cherney, C. Crichton, T. Daly, E. Kautz, and L. Workman*  
Council Absent: *None*  
Staff Present: *C. Ebeling, J. Faulkner, T. Goodroad, S. Olesen, C. Wohlers, J. Tschumper*  
Others Present: *M. Brokl, G. Lally, J. Gessner*  
PC Present: *R. Dusterhoft, T. Ivers, S. Nienhaus, N. Nystuen, M. Esch*

### **ITEM 1. Discussion of Planning Commission 2004 Work Plan**

S. Nienhaus, Chair of the Planning Commission talked about the proposed 2004 Planning Commission Work Plan.

The following items were discussed:

- Commission input on Ends & Outcomes (goal-setting) for Council's Annual Review of the Ends & Outcomes
- Work Plan review and discussion scheduled for the Worksession
- Planning Commission split vote on the approval of the Plan
- Screening of rooftop units – Council direction
  - Unexpected by Planning Commission
- Administrative procedure
  - Council input through staff
  - Planning Commission feedback to Council annually
    - PC suggest their priorities
  - Communication improvement
- Rooftop units placed on Planning Commission Work Plan

The Planning Commission will consider the Work Plan again and it will be placed on the Council Consent Agenda for acceptance.

### **ITEM 2. Review of Comp Plan & Zoning Ordinance (Consistency)**

T. Goodroad, Planner presented proposed amendments to the Comprehensive Plan to bring consistency to the Comp Plan and the zoning ordinance. She said the inconsistencies occur when the zoning district allow more uses than indicated on the land use map.

M. Brokl explained the Planned Unit Development process as a tool and why a Comp Plan is necessary (legally required) in response to Councilmember Crichton's question.

A Mixed Use District as an addition to the Comp Plan was discussed.

The Council and the Planning Commission were supportive of the proposed Comprehensive Plan Amendment and the addition of the Mixed Use District.

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**ITEM 3. Report on Pattern of Variances (Corner Lot Setbacks) and Discussion of Reasonableness**

T. Goodroad, Planner presented the summary of the staff's review of the pattern of residential variances over the last three years and also reviewed a breakdown on the types of requests. Staff does not suggest amending the street side yard setback.

T. Goodroad talked about the variance guidelines that the Council reviewed with the City Attorney in 2000. She asked if the Council and Planning Commission were comfortable with staff using these guidelines for the review of variance requests. The value of the guidelines was discussed as well as corner lot variances. Review of corner lot variances and recommendations to the Council are on the Planning Commission Work Plan.

M. Brokl advised the Council and Planning Commission that they can make findings that the request is not reasonable. Courts will support that finding.

Council and the Planning Commission were supportive of staff using the variance guidelines that are in place. Copies of the variance guidelines will be placed in the Agenda Background binders for Council and Planning Commission.

**ITEM 4. Review of Parking Standards in Business/Industrial Zoning**

C. Wohlers, Planner/Economic Development Specialist gave background on the issue with current parking standards in business/industrial zoning. Staff monitoring of parking lots has identified that there is abundance of excess parking in these zoning districts.

The review of parking standards is on the Planning Commission Work Plan.

The involvement of the Economic Growth Committee was discussed. Consensus was that the Economic Growth Committee should review parking standard first and forward their comments to the Planning Commission.

**ITEM 5. Discussion of Rooftop Units**

G. Lally of Hoyt Properties went over the Economic Growth Committee's review of the proposal to change the ordinance to require that rooftop units be completely screened.

There was discussion of the screening of rooftop units including the screening required on existing buildings and if an ordinance should be drafted for new buildings only or for major remodeling/reconstruction.

Council was supportive of screening rooftop units from public and private streets on new buildings only.

The Economic Growth Committee minutes did reflect their support of screening on new construction.

The Planning Commission will review a proposed ordinance as part of their Work Plan and forward recommendations to the Council.

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### **ITEM 6. Discussion of Amending Outdoor Seating Ordinance**

T. Goodroad, Planner presented the background on an ordinance amending incidental outside seating.

The following items were discussed:

- Amendment could allow outdoor seating abutting residential
- Liquor violation if alcohol taken out of designated seating area
- Parking requirements
- Sound levels (Music)
  - Measure decibel levels
- Sanctions for violations
- Ordinance impact on Hooters proposal
- Communicate this ordinance change to Hooters
- Problems with use of decibel levels

Consensus was that the ordinance should proceed on schedule if issues can be addressed.

### **ITEM 7. Round Table**

#### Update on HiPP Project

Mayor Kautz and C. Ebeling, Manager updated the Council on the progress and activities of the High Performance Partnerships (HiPP – made up of Dakota County and most Dakota County cities). The group is hoping to identify 5 high potential ideas (partnerships) to be agreed upon and pursued. M. Brokl said he is working on the legal challenges that could arise. Councilmember Crichton expressed his concern regarding Motorola monopoly in the 800 mgz program.

Councilmember Workman said she had heard that the CAC satellite in the Police Department has been relocated to Mary Mother of the Church. Ebeling will check to verify this. The office at Mary Mother may be a new satellite.

### **ITEM 8. Miscellaneous**

S. Olesen advised the Council that Advisory Board interviews on are May 18 and 19 beginning at 6:00 p.m. She verified that there is a Special Meeting on June 25 following the Governance Agenda.

The Sweet Sioux Garden Club is having a ceremony dedicating the Blue Star Memorial Plaque on May 31<sup>st</sup>. The Patriot Tree proposal in the Bicentennial Garden could be looked at next year.

The Council talked about their relationship and working together as a team.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

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Susan P. Olesen, City Clerk

Approved by the City Council of the City of Burnsville this 17th day of May 2004.

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Elizabeth B. Kautz, Mayor