

**AGENDA  
MAPLE PLAIN PLANNING COMMISSION  
MAPLE PLAIN CITY HALL  
JANUARY 10, 2013  
7:00 PM**

**I. CALL TO ORDER**

**II. ADOPT AGENDA**

**III. CONSENT AGENDA**

A. Approval of the December 4, 2012 meeting minutes.

**IV. PUBLIC HEARINGS**

A. 5109 Main Street West conditional use permit

**V. ADMINISTRATIVE REPORTS**

**VI. OLD BUSINESS**

A. Maple Plain Walking and Biking Plan.

B. Complete Streets policy.

**VII. NEW BUSINESS**

**VIII. COMMISSION REPORTS & OTHER BUSINESS**

**IX. VISITORS TO BE HEARD**

*Note: This is a courtesy extended to persons wishing to address the council who are not on the agenda. A completed public comment form should be presented to the city administrator prior to the meeting; presentation will be limited to 3 minutes. This session will be limited to 15 minutes.*

**X. ADJOURN**

***Next meeting: Thursday, February 7, 2013, 7 p.m. at Maple Plain City Hall***

**City of Maple Plain Planning Commission  
Meeting Notes  
December 4, 2012  
Maple Plain City Hall  
7:00 PM**

**I. CALL TO ORDER**

**Chair Bliss called the meeting to order at 7:03 p.m.**

Present: Commission Chair Michele Bliss, and Commissioners Mardelle DeCamp, Mike DeLuca, John Fay, William Lauper and Stephen Shurson; Council liason Dave Eisinger; Planning Consultant Tom Goodrum (MFRA); City Administrator Jason Ziemer; and Assistant to the City Administrator Maggie McCallum.

Absent: Barb Rose

**II. ADOPT AGENDA**

**DeCamp moved to adopt the Agenda; DeLuca seconded. Motion passed 7-0.**

**III. CONSENT AGENDA**

**Shurson moved to approve the Consent Agenda including edits to the meeting minutes; Decamp seconded. Motion passed 7-0.**

Items approved under the Consent Agenda:

A. Approval of the November 1, 2012 meeting minutes.

**VII. PUBLIC HEARINGS**

A. 5109 Main Street East Conditional Use Permit (CUP) application.

City Planner Goodrum reviewed a CUP application for a residential property located at 5109 Main Street. Goodrum explained that the homeowner, Scott Garver, is seeking a CUP that would authorize a home occupation centered on glassblowing.

Goodrum explained that the applicant's property is currently located in the Mixed Use-Gateway District, and is currently zoned as an single-family home. The home has an attached garage, in addition to a detached accessory structure. Goodrum explained that Garver currently uses both buildings for glassblowing related activities.

Goodrum stated that the City must consider the following standards before a CUP can be issued to Garver. The City must ensure that the occupation:

1. Will not be injurious to or reduce enjoyment to neighbors;
2. Will not impede normal development;
3. Has adequate utilities;
4. Has sufficient off-street parking;
5. Controls for offensive nuisances;
6. Does not create traffic hazard or congestion; and,
7. Is in compliance with land use plan.

Goodrum addressed concerns brought forth by City staff, the building inspector, fire chief, and West Hennepin Public Safety with regards to the operations of the applicant's occupation. Concerns pertained to the use of chemicals and heat within a residential area. Goodrum explained that there have been no complaints from neighbors thus far with regards to the occupation, nevertheless explained that it is up to City staff to determine if the process is safe for those who live nearby to the applicant's home.

Goodrum stated that the process has been reviewed and approved by Minnesota Pollution Control Agency. Goodrum explained that the applicant is also seeking a hazardous waste permit from Hennepin County, nevertheless while the applicant's operations have been reviewed by Hennepin County, the County will not issue a permit until the City of Maple Plain issues Garver a CUP.

Goodrum did not offer a recommendation to the Planning Commission because of conflicting language in the city code pertaining to the allowed use of accessory structures in residential locations, as well as how the City defines a Home Occupation.

Goodrum did recommend that the Commission had the option to place conditions on the application if they chose to approve it and send it onto the City Council.

The recommended conditions include the applicant:

1. Obtaining a building permit;
2. Agreeing to any recommended site/operation changes;
3. An inspection by the Fire and Police Departments;
4. Obtaining a Hazardous Permit;
5. Periodic City reviews; and
6. Compliance with agreed upon terms.

**Chair Bliss opened the public hearing at 7:19 p.m.**

The applicant, Scott Garver, introduced himself to the Planning Commission stating that he has lived in the community since 2002, and has been a glass

blower for over 20 years. Garver brought pieces of his art in to show to the Commission.

Garver explained the operational process of his work to the Commission, including the steps, materials and chemicals used throughout the process.

**Chair Bliss closed the public hearing at 7:32 p.m.**

Bliss inquired into how the chemicals the applicant used were stored and disposed of, if the buildings being used were secure, and if the EPA had done an inspection on the property.

Garver stated that the chemicals were stored in tanks, and when needed, he had the option to go through the EPA to dispose of the chemicals. Garver stated that both buildings were secured with locks and that the EPA had previously been out to the property to observe his work and offered procedural recommendations.

Bliss inquired into the building permit condition recommended by staff, and why it necessary. Goodrum stated that a building permit is recommended as a means to ensure that the applicant's buildings are properly constructed for his home occupation.

Fay inquired into the condition that recommends periodic inspections by staff to determine if conditions are being met. Fay asked who would monitor the property and when inspections would occur. Goodrum stated that the city would inspect the property only if a complaint is received regarding the property. At this time, the City will perform an inspection on the property to determine if all conditions are being met.

Fay inquired into the city code language pertaining to "home occupation" and "accessory buildings". DeLuca said that the Commission needed a greater understanding of the differences between art and manufacturing in order to move forward with a recommendation to City Council. Lauper agreed and stated that the Planning Commission needed to discuss the difference as a means to determine how glassblowing is classified as an occupation.

Shurson stated that the difference between the two is up for interpretation. Shurson said that he viewed manufacturing as the mass production of a product, and that Garver's home occupation centers on creating unique items. Therefore, Shurson felt comfortable classifying Garver's work as art and not manufacturing. Bliss stated that she perceived Garver's occupation an art. DeCamp agreed.

Goodrum suggested that more extensive research could be done by City staff to better clarify the difference between art and manufacturing. Goodrum stated that additional research could be performed and/or that the City Attorney could offer some insight into the matter.

DeLuca inquired into whether the chemicals used by Garver occupation were harmful to his neighbors and if the City should be concerned about having the chemicals in a residential area. Eisinger asked Garver if he had MSDS information on the chemicals and the quantities he had of each. Garver stated that he did not have that specific of information available for the meeting.

Garver stated that he controls the chemicals by storing them in a separate building, away from where he performs his glassblowing. Garver also clarified that the chemicals were not flammable.

Bliss stated that the Commission will likely receive many of the answers the Commission is asking when the applicant carries out the processes of recommended conditions. DeCamp asked the applicant if he comfortable with the conditions.

Garver said that he agrees with the conditions, stating that he wants to eliminate any confusion regarding the work that he does. Garver stated, he wants to make sure people are comfortable and satisfied with the process that he uses and that he is willing to work the City to make any necessary changes.

Bliss recommended tabling the request until additional information could be provided. Shurson requested that the building inspector go to the property to gather further information for the Commission.

Ziemer explained to the Commission that the applicant would have to agree to an extension. Garver stated that he was okay with the extension.

**Fay moved to table the item until the next Planning Commission meeting on January 10, 2013, and extended the application until February 28, 2013; Lauper seconded.**

**Motion Passed 7-0**

**IV. ADMINISTRATIVE REPORTS**

None.

**V. OLD BUSINESS**

A. Maple Plain Bike and Walk Plan

McCallum stated that staff brought the Waling and Biking Plan back to the Commission, with a staff recommendation of sending it onto the City Council for final approval.

McCallum stated that at the last meeting on November 1<sup>st</sup>, Rosell made a final presentation to the Commission that included the most updated draft of the document. At that time, Rosell asked for final feedback from the Commission.

Feedback was received by Commissioner Shurson, of which was sent on to Rosell prior to the meeting. McCallum explained that Shurson's comments had not been incorporated into Plan at that time, nevertheless would be before it is sent to the City Council.

McCallum recommended sending the Plan to the Council on the 10<sup>th</sup> knowing that Shurson's comments would be incorporated.

Shurson provided some comments to the Commission on the items he suggested be incorporated into the document.

**Shurson moved to send the Walking and Biking Plan to the City Council for final approval with Shurson's comments included in the document. DeCamp seconded.**

#### **Motion Passed 7-0**

##### **B. Complete Streets Policy**

McCallum stated that staff was bringing back to the Commission the Complete Streets Policy, with the recommendation of sending it on to the Council for final approval at the December 10<sup>th</sup> Council meeting.

McCallum said that at the last Planning Commission meeting, suggestions were made by the Commissioners as to what changes could be made. McCallum stated that the suggestions were incorporated into the current draft.

Commissioners identified several items within the policy that needed further review and minor revisions.

**Item was decided to be returned to the next Planning Commission meeting on January 10<sup>th</sup>, 2013. In addition, as the Walking and Biking Plan is closely associated with the Complete Street Policy, the Commission decided to have staff hold onto this item until both the Policy and Plan could be presented to the Council at the same time.**

#### **VI. NEW BUSINESS**

None.

#### **VII. COMMISSION REPORTS & OTHER BUSINESS**

Bliss recommended updating the Planning Commission information since the previous list dated back to 2010.

Fay provided an update on the work being done on the I-1 and I-2 Industrial Park Ordinances. McCallum stated that the most recent draft has been sent to the City Planner for review.

**VIII. VISITORS TO BE HEARD**

None.

**IX. ADJOURN**

**Shurson moved to Adjourn; Fay seconded. Motion passed 7-0. Meeting adjourned at 9:46 p.m.**

*Prepared by*

A handwritten signature in cursive script that reads "Margaret McCallum". The signature is written in black ink and is positioned above a horizontal line.

Maggie McCallum, Assistant to the City Administrator



Agenda Information Memorandum  
January 10, 2013 Maple Plain Planning Commission

#### **IV. PUBLIC HEARINGS**

##### **A. 5109 Main Street Conditional Use Permit (CUP) for a Home Occupation**

#### **ACTION TO BE CONSIDERED**

To review a Conditional Use Permit (CUP) for a home occupation for a resident located on 5109 Main Street, and to hold a public hearing to accept public comment on the CUP request.

#### **FACTS**

- The existing home at 5109 Main Street sits on 14,612 square feet of property that is divided by 859 square feet of dedicated alley. The lot contains a single family home with a detached garage and one accessory structure. Mr. Garver has owned the home since 2002.
- The applicant is an artist whose primary medium is glassblowing/lampworking; the products of which are combined with minerals and/or clay sculptures, and may be copper plated
- The lampworking process would utilize a small torch (fueled by oxygen & propane), an exhaust hood and a small kiln. All of this equipment and work would be located within a 10x15 portion of the attached garage as identified on the provided site plan.
- The copper plating process would occur within the detached garage as identified on the provided site plan. The separation of work space allows the copper plating solutions to be isolated and less vulnerable to contamination.
- The City must determine whether the facts provided by the applicant show that the use can be adequately controlled by conditions.
- At the December 4, 2012 meeting, the Planning Commission recommended extending the application until February 28<sup>th</sup>, and proposed to bring it back to the January 10 meeting for further review.

#### **ATTACHMENTS**

Attached on page(s) \_\_\_\_ through \_\_\_\_ is a site plan review from City Planner, Tom Goodrum (MFRA), a site plan of the applicant's property, a narrative from the applicant and additional applicable information.

A report from Metro West Inspection will be provided to Planning Commissioners prior to the meeting.

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# MEMORANDUM

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**TO:** Chair Bliss and Planning Commission  
**FROM:** Tom Goodrum, Planning Consultant  
**DATE OF REPORT:** November 21, 2012  
**DATE OF MEETING:** December 6, 2012  
**RE:** Conditional Use permit (CUP) for a Home Occupation

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Chair Bliss and Planning Commissioners

Scott Garver of 5109 Main Street, is seeking approval of a CUP to authorize a home occupation centered on the art of glassblowing/lamp working.

## **STAFF REVIEW**

The existing home at 5109 Main Street sits on 14,612 square feet of property that is divided by 859 square feet of dedicated alley. All improvements on the lot are located north of the alley on approximately 8709 square feet of the lot. The lot contains a single family home with a detached garage and one accessory structure. Mr. Garver has owned the home since 2002. (See attached site plan/survey).

The applicant is an artist whose primary medium is glassblowing/lampworking; the products of which are combined with minerals and/or clay sculptures, and may be copper plated

The lampworking process would utilize a small torch (fueled by oxygen & propane), an exhaust hood and a small kiln. All of this equipment and work would be located within a 10x15 portion of the attached garage as identified on the provided site plan.

The copper plating process would occur within the detached garage as identified on the provided site plan. The separation of work space allows the copper plating solutions to be isolated and less vulnerable to contamination.

## **Proposed Operation**

An example of the applicant's work would be as follows: first a wine glass or goblet is fashioned using the lampworking tools; next a dragonfly is sculpted from clay and baked in the kiln to harden; once complete, the dragonfly is glued to the goblet, and portions of the goblet are painted with a copper conductive paint; the piece is then hung into an electroforming bath of distilled water, copper sulfate, sulfuric acid, hydrochloric acid and a copper brightener for up to 72 hours; a direct current of electricity is run through copper anodes hanging in the solution which causes the copper molecules in the solution to "grow" on the copper conductive paint on the piece; following the electroforming bath, the piece is removed from the solution and finalized/prepared for sale.

The electroforming bath is made up of two (2) tanks: an inner tank containing the chemical solution and a protective outer tank to contain the inner tank should a spill ever occur. The

protective outer tank is marked with an appropriate warning label for the chemicals being housed, and a lid is placed over the top to contain the bath and protect it from contaminants. All chemicals components are kept in an enclosed cabinet specifically designed for the storage of chemicals.

### Home Occupations per City Code

**HOME OCCUPATION.** Any gainful occupation or profession, engaged in by the occupant of a dwelling unit, within the dwelling unit **or within any lawfully existing accessory structure**, which occupation is clearly incidental to the residential use of the premises. The activity shall not produce light glare, noise, odor, or vibration perceptible beyond the boundaries of the premises and **shall not involve the use of accessory structures**. The following are examples of prohibited uses:

- (1) Repair, service, or manufacturing which requires equipment other than that customarily found in a home;
- (2) Over-the-counter sale of merchandise produced off the premises; or
- (3) The employment of persons on the premises, other than those customarily residing on the premises. The above examples are illustrative in nature and shall not be construed as comprehensive.

Home Occupations are not listed as a permitted or conditionally permitted use within the Mixed Use district. However, "Residential dwelling, single-family" Is a permitted use in the MU district, and such uses are "...subject to the requirements of the R-1 zoning district" which DOES allow for home occupations via conditional use permit [Section 153.025(C)(5)].

The definition of "home occupations" includes language which appears to be conflicting with regards to accessory structures. This language has historically been interpreted to say that use of an accessory garage is OK, but use of sheds and other accessory structures is not.

The proposed work is being described as "art" rather than "manufacturing," by the applicant, which leads to a definition between the two when considering home occupations. As art the applicant use is not prohibited as a home occupation (although it still must show the ability to conform with code requirements either outright or with conditions).

### CUP Review

By code, conditionally permitted uses must be reviewed using the criteria found in Section 153.140(F). Per this section, the Planning Commission shall review the conditional use permit for its conformance with the City Code and shall not recommend approval unless all of the following conditions are met:

*(A) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted;*

All proposed activities will be conducted within the attached and detached garages on the property, so the activities should go largely unnoticed. There will be no retail sales of the final products on the site and no outdoor signage to indicate the presence of a work studio on the property. Deliveries of end products off-site will be very infrequent and could likely not be

distinguished from daily delivery trips to and from any other residential property within the neighborhood. Given that this is an after-the-fact CUP request, (the activity has been going on prior the requested permit), we have the advantage of knowing whether the activities created nuisance conditions detrimental to neighboring properties. In this case over the City received zero complaints about the operation suggesting there are no physical conditions created by the proposal which are negatively impacting surrounding properties.

*(B) That the establishment of the conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area;*

The nature of this CUP will require all activities to be conducted indoors within existing structures. No new “use” of the land will be apparent from any side of the property, and the CUP will create no physical conditions to impede or influence development of surrounding lands should neighboring property owners wish to change their current land uses.

*(C) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided;*

The existing streets, water mains, sewer lines, etc. have been and are sufficient to service the existing single-family home on the property. The inclusion of the proposed home occupation on the premises does not suggest the need for improvements to any existing infrastructure.

*(D) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use;*

As the proposed CUP would not allow for customer visits or on-site sales of products, there will be no need for addition on-site parking or loading spaces to accommodate the home occupation.

*(E) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result;*

The lampworking station includes a vent hood above the bench and the electroforming station includes a squirrel cage fan to properly ventilate each area as work is occurring. As formerly stated, several months of continued operation without a complaint regarding odors or fumes suggests the existing ventilation systems adequately capture and dissipate any potentially offensive odors or fumes before they can become an issue to others. As no signage is proposed as part of the home occupation, there is no concern regarding lighted signs.

*(F) That proper facilities are provided which would eliminate any traffic congestion or traffic hazard which may result from the proposed use;*

The proposed home occupation will not generate any additional traffic to the property than would normally be occurring with any single-family residence in the neighborhood. No additional roadway facilities or intersection improvements are necessary.

*(G) The proposed use is in compliance with any Land Use Plan adopted by the city.*

The most applicable passage within the comprehensive plan related to the proposed use is the following paragraph taken from the plan section on Community Character:

The government of Maple Plain has a firm and fair process for managing growth and development. Through its land use plan, zoning ordinances and design standards; the city will set clear policies and standards to assure quality development. The city will enforces these standards diligently and consistently. The City's development review process will be fair and equitable while emphasizing effective communication and consensus among all parties including the City Council, its Commissions, the Economic Development Authority, Design Team and most importantly the citizens of Maple Plain. *Both small and large businesses alike will be required to take on development forms that blend easily into a small town setting and image.*

The City Code clearly allows home based occupations when appropriate. Accordingly, should the Planning Commission, and ultimately the City Council, find that the proposed home occupation is the most appropriate form for an artist's workshop within a small town setting, the proposal would be in line with the Comprehensive Plan.

### **Operations Concerns**

Staff is not aware of any resident concerns regarding the proposed use. As previously noted, the use had been on-going until the applicant was informed of the need for this CUP (at which point the use ceased). During the months of operation prior his application, the City received zero complaints about the operation.

The Minnesota Pollution Control Agency has issued the applicant a Hazardous Waste Identification Number as required by the Resource Conservation and Recovery Act and Minnesota Hazardous Waste Rules. The number was necessary due to the chemicals needed for the electroplating process. A Hazardous Waste Permit will not be considered by the County until after the City action on approving or denying the CUP request.

West Hennepin Public Safety has raised concerns regarding the solutions used for the creation of the product and any potential dangers the operation may have to the neighborhood. If approved, West Hennepin Public Safety is recommending that conditions be incorporated that requires that appropriate permits are issued and that safety compliance checks are conducted.

Metro West Inspection Services has reviewed the request for compliance with building code requirements, and identified the following issues:

- A building permit shall be required for this type of use;
- Building shall meet all requirements of the Minnesota State Building Code;
- Heat producing equipment shall require permit and inspections (i.e. glass furnace and kiln);
- More detail is required for the use and handling of the chemicals being used in the manufacturing process.
- A determination on what kind of ventilation is required after details on manufacturing process has been received.

### **FINDINGS**

The applicant is seeking approval of a CUP to authorize a home occupation centered on the art of glassblowing/lamp working. The City must determine whether the facts provided by the applicant show that the use can be adequately controlled by conditions. Importantly, the City must keep in mind that the burden of proof with these applications rests with the City, and that proper findings of fact must be cited as to why this application does not conform with code should the application be denied.

In review of this application staff identified three major points that raise questions on how this request should be considered when considering findings for approval or denial, they are:

*Would the conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted?*

*Should the proposed use be defined as manufacturing a product (not permitted by CUP) or if creating an art product shall be defined differently?*

*How should accessory structures be used with home occupations? (conflict in language)*

The Planning Commission has the following options:

- A) RECOMMEND APPROVAL OF THE REQUESTED CONDITIONAL USE PERMIT (based on the applicant's submittals and findings of fact).
  - provide findings to support your conclusion
- B) RECOMMEND DENIAL OF THE REQUESTED CONDITIONAL USE PERMIT (based on the applicant's submittals and findings of fact).
  - provide findings to support your conclusion
- C) TABLE THE ITEM and request additional information.

Should the Planning Commission choose to recommend approval of the proposed CUP, staff would suggest the following conditions:

1. A building permit shall be secured by the applicant to demonstrate compliance with building code requirements in at least the following areas:
  - a. Heat producing equipment shall require permit and inspections (i.e. for the proposed kiln);
  - b. The buildings shall meet all requirements of the Minnesota State Building Code;
  - c. Greater detail must be provided to the building inspector regarding the use and handling of the chemicals being used in the manufacturing process.
  - d. Greater detail must be provided on the ventilation systems being used.

2. The applicant shall agree to site changes deemed necessary by the building inspector to bring the proposed facilities in-line with building code requirements.
3. Prior the final inspection/approval of the building permit the home occupation shall be inspected by the police and fire department with a facility map submitted to each department.
4. The business will need to secure a Hennepin County Hazardous Waste Generator permit or evidence that one is not needed
5. The home occupation s subject to periodic review by City staff.
6. The home occupation shall be conducted in accordance to the conditions of the conditional use permit, the narrative provided by the applicant and the submitted site/operations plan, as submitted with the application or as amended per condition 2. A change to the operation of the home occupation is subject to city review and amendment to the permit.

Sincerely,

Tom Goodrum, City Planner (MFRA)

## **ADDITIONAL INFORMATION**

According to Wikipedia, Lampworking is “a type of glasswork where a torch or lamp is primarily used to melt the glass. Once in a molten state, the glass is formed by blowing and shaping with tools and hand movements. Lampworking became widely practiced in Murano, Italy in the 14th century. In the mid-19th century lampwork technique was extended to the production of paperweights, primarily in France, where it became a popular art form, still collected today. Lampworking differs from glassblowing in that glassblowing uses a furnace and glory hole as the primary heat source, although torches are also used. Most artists today use torches that burn either propane or natural gas, or in some countries butane, for the fuel gas, mixed with either air or pure oxygen as the oxidizer. Many hobbyists use MAPP gas in portable canisters for fuel. Lampworking is used to create artwork, including figurines, trinkets, curios, Christmas tree ornaments, beads and much more. It is also used to create scientific instruments as well as glass.”

Tools and equipment typically used in lampworking include:

Bench Burner - A torch that is fixed to the bench which provides a stationary flame.

Hand Torch - The hand torch allows for more maneuverability of the flame, commonly used on glassworking lathes where there is reduced maneuverability of the piece

Propane & Oxygen Cylinders, gas regulators & hoses - provides fuel for the bench burner and/or hand torch

Kiln - the kiln is used to garage and anneal the glass, protecting the piece from thermal shock and relieving thermal stress.

Marver - flat surfaces used to roll glass upon in order to shape, smooth or consolidate applied decoration, typically made of graphite or steel.

Paddle - A graphite or metal marver attached to a handle

Reamer - A piece of graphite or brass on a handle used to enlarge holes.

Tungsten Pick - The extreme temperature resistance of tungsten makes it ideal for raking(dragging glass around on the surface), or to bore a hole through the glass.

Blowhose/Swivel Assembly - A hose, usually latex, is connected to the blowpipe via a hollow swivel, allowing the lampworker to blow into hollow glass forms while rotating them.

Shears - Steel shears are used to cut the hot glass.

Hot Fingers - Metal tool found in various configurations which allows the hot glass to be securely held and rotated, commonly used for finishing pieces after they have been removed from the blowpipe or pontil.

Lathe - The glassworking lathe allows for precise rotation and manipulation of glass. They are especially suited for larger scale work that may be difficult or tiring to turn by hand.



Agenda Information Memorandum  
January 10, 2013 Maple Plain Planning Commission

**VI. OLD BUSINESS**  
**A. WALKING AND BIKING PLAN FINAL REPORT**

**ACTION TO BE CONSIDERED**

To make a recommendation to the City Council to approve the Walking and Biking Plan.

**FACTS**

- The City received a grant from Blue Cross and Blue Shield of Minnesota, made available through Hennepin County, to put together a master, community-wide trail and sidewalk plan.
- Antonio Rosell, Community Design Group, has been the principal working on the study and report for the City. Rosell has also been instrumental for the City in its discussions with MnDOT regarding the request for a “red signal” pedestrian crossing on Highway 12.
- Mr. Rosell presented the report to the City Council on July 9; Council members referred the issue to the Planning Commission for review and recommendations.
- The report recaps public input and development process of the report, and gives a series of short- and long-term recommendations to address creation of community connections and pedestrian and bicycle safety.
- Mr. Rosell presented additional reports to the Planning Commission on August 2 and November 1 for review and recommendations.
- At the December 4<sup>th</sup> meeting, the Planning Commission decided to wait to send the Plan to the Council until the Complete Streets Policy could be sent as well.
- The final report will be presented at the January 14 City Council meeting.

**ATTACHMENTS**

Previous Link to the Walking and Biking Plan:

[https://dl.dropbox.com/u/4012003/MaplePlain/Walking\\_and\\_Biking\\_Plan-110112.pdf](https://dl.dropbox.com/u/4012003/MaplePlain/Walking_and_Biking_Plan-110112.pdf)

An updated link of the Walking and Biking Plan will be provided to Commissioners on Monday 1/7/2013.



Agenda Information Memorandum  
January 10, 2013 Maple Plain Planning Commission

**VI. OLD BUSINESS**  
**B. COMPLETE STREETS POLICY**

**ACTION TO BE CONSIDERED**

To make a recommendation to the City Council to approve the Complete Streets Policy.

**FACTS**

- City staff is seeking additional input on a drafted Complete Streets policy.
- The City's Comprehensive Plan, Design Guidelines, and Walking and Biking Plan all reference Complete Streets concepts.
- The City's Walking and Biking Plan recommends the adoption of a Complete Streets policy.
- Previous discussion on the policy occurred at the September 6 and November 1 meetings.
- At the December 4<sup>th</sup>, 2012 meeting, the Planning Commission made additional comments and proposed changes to the document, and asked to bring it back at the January 10<sup>th</sup> meeting.

**ATTACHMENTS**

Attached on page(s) \_\_\_\_\_ through \_\_\_\_\_ is a copy of the drafted Complete Streets policy.

# Complete Streets Policy City of Maple Plain

## INTRODUCTION

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The Maple Plain Complete Streets Policy is designed to be an easy-to-use and informative guide on street design within the City of Maple Plain. By enacting this policy, the City seeks to ensure that for any public or private street project, developers, planners and engineers involved in designing city streets do so with all ages and abilities of users in mind—including but not limited to motorists, bicyclists, transit vehicles and riders, and pedestrians. The guidelines herein are not meant to inhibit creativity or override good design and problem solving in the design of streets, but rather should serve as a reminder on what entails comprehensive design and what questions must be asked as the City’s road network evolves. The overriding goal of this policy is to build streets that are safe, accessible, livable and welcoming to all users.

The term “Complete Streets” was initially coined in 2003 to address a growing need for better incorporation of bicycle transit into everyday transportation planning. By 2005, the National Complete Street Coalition had been established as a means to promote the Complete Streets concept nationally, and the scope of the coalition had expanded beyond bicycles to address the unique needs of ALL methods of transportation beyond the automobile.

Complete Streets are defined as “streets for everyone.” They are designed and operated to enable access for all users, making it easy to get to their destinations conveniently, effectively and safely. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to move along and across a street for it to be considered “complete.” By having this policy in place, the City seeks to ensure the transportation system routinely includes the needs of all people utilizing varying modes of transportation.

### ***Benefits***

The City of Maple Plain finds that Complete Streets concepts are beneficial to the community and will therefore incorporate such design standards, as appropriate, in all future street and transportation projects. In general, the City foresees that Complete Streets will improve overall economic prosperity, accessibility, safety, active living and healthy lifestyles, environmental

quality, and connections between residential, commercial and recreational areas. Specific benefits of Complete Streets include:

1. Improvements in safety, mobility, accessibility, and convenience of travel for all users including pedestrians, bicyclists, motorists, and people of all ages and abilities, including children, youth, older adults and individuals with disabilities;
2. Promotion of healthy lifestyles by encouraging more walking and biking;
3. Reduction in traffic congestion and reliance on carbon fuels, thereby reducing greenhouse gas emissions and improving air quality;
4. Provision of alternative and affordable options to those who do not use personal vehicles for travel;
5. Provision of a balanced transportation system that strengthens economic growth and stability by providing accessible and efficient connections between residences, parks, employment, and commercial destinations;
6. Fiscal sense in that sidewalks, bike lanes, transit amenities, and crosswalks, are considered in all initial project designs and therefore the expense of any retrofitting in the future is spared; and
7. Calming of traffic on residential streets, creation of walkable neighborhoods, and an increase in community interaction.

In addition to being an informative guide, the Complete Streets policy provides references to currently existing requirements and guidance found within the City's various planning documents including the Comprehensive Plan, the Bike and Walking Plan, the City's Design Guidelines, and the Redevelopment Plan.

### ***Vision***

*It is the vision of the City of Maple Plain to eventually establish a complete transportation network throughout the city that is accessible, interconnected and multimodal for all users.*

To achieve this vision, the Complete Streets policy will ensure that from the start, transportation projects will take into consideration the needs of all users, regardless of their age, ability, or the method by which they travel.

As defined by the Metropolitan Council, the City of Maple Plain is considered a developed community in that more than 85% of the City's land is developed and has well-established infrastructure. As a developed community, the City sees limited expansion through new development due to limited land resources. As a result, the City's primary focus is on the maintenance and redevelopment of infrastructure already in place.

Like many other cities, the City of Maple Plain's road system was initially designed for the sole use of motorized vehicles. As a result, many of the City's streets lack important facilities such as crosswalks, sidewalks, and bicycle lanes. As the demand for walking, bicycling and other methods of travel increases, safe and accessible transportation accommodations for all modes has become increasingly necessary.

The City of Maple Plain is committed to serving its residents by providing them with multi-modal transportation options that are safe and accessible.

### ***Purpose***

The purpose of this policy is to set forth a process to ensure that future street and transportation projects will give ample consideration to all future users of the particular corridor, and incorporate features as necessary to fulfill the City's vision of a Complete Street. Importantly, it is recognized that every corridor is unique; thus, design features will likely differ from street to street, yet each street may still be considered "complete."

# COMPLETE STREETS POLICY

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The following guidelines should be followed to ensure that multi-modal elements are incorporated into all transportation improvement projects (except as exempted herein):

- 1. Complete Streets elements should be incorporated into all public transportation (i.e. City, Hennepin County and MnDOT) projects to fulfill the City's vision for complete streets.**
  
- 2. At the start of any transportation project, the following factors shall be considered:**
  - a) The current and anticipated land uses along the subject corridor;
  - b) Location of nearby destinations (i.e. parks, library, post office, shopping centers, etc.) that will draw people in. Facilitating movements to these areas may need to be considered in the context of the subject corridor;
  - c) The multitude of users and their abilities anticipated to frequent the corridor based on the identified land uses, nearby destinations and surrounding development;
  - d) Existing and anticipated transportation infrastructure that will interact with the subject corridor;
  - e) Stated public desires for specific transportation infrastructure in specified areas; and,
  - f) General and specific guidance for the corridor in the City's Comprehensive Plan, the City's Walking and Biking Plan, the City's Design Guidelines, and the Redevelopment Plan.
  
- 3. Complete street elements that potentially address the agreed upon factors should be identified at the start of a project.** There is no singular design prescription for Complete Streets; each design is unique and responds to its neighborhood area or overall community context. A complete street may include but is not limited to one or more of the following elements.
  - a) Pedestrian environment:
    - a. Designated walking facilities, including sidewalks, trails, and adequate roadway shoulders if other facilities are not feasible;

- b. Safe crossing facilities, including marked crosswalks and curb ramps, as well as pedestrian safety improvements such as median refuges, curb extensions and crosswalk improvements
  - c. Signs, signals and pavement markings that improve pedestrian visibility, safety and convenience;
  - d. ADA (American with Disabilities Act) compliant accessibility improvements, including curb ramps, detectable warnings and audible signals; and,
  - e. Improvements to the quality of the pedestrian environment, including street trees, boulevard landscaping, planter strips, street and sidewalk lighting, street furniture and other pedestrian amenities.
- b) Bicycle accommodations including:
- a. On-street bicycle facilities, including bicycle lanes, bicycle boulevards, cycle tracks, designated roadway shoulders, and shared-use (“Sharrow”) lanes;
  - b. Off-street bicycle facilities, including shared-use paths and bicycle trails;
  - c. Bicycle signs, signals and way finding elements; and,
  - d. End-of-trip facilities like bicycle parking and storage facilities.
- c) Traffic calming measures including:
- a. Lane and roadway narrowing, and road diets;
  - b. Center medians, traffic circles and curb extensions; and,
  - c. Preservation of on-street parking.
- d) Transit accessibility, including efficient and inviting pedestrian and bicycle connections to transit locations.
- 4. All identified elements may not be warranted based on the importance and limitations of the corridor.** The ideal roadway design may not always be feasible due to either a physical constraint (e.g. not enough right-of-way) or an economic standpoint (e.g. cost of improvements). Factors to consider in making this judgment may include but are not limited to:
- a) Whether the corridor is within an identified “emphasis” area for complete streets. (See IMAGE). If within an emphasis area, identified elements should ONLY be eliminated when certain circumstances exist as determined by the City Council);

- b) When the corridor is not within an identified “emphasis” area, the following shall be considered:
  - i. Community desires;
  - ii. Available and planned right-of-way;
  - iii. Existing and planned use context;
  - iv. Existing improvements;
  - v. The number and types of users;
  - vi. Utilities;
  - vii. Parking needs; and,
  - viii. Available budget;
- c) When balancing competing interests, design decisions should favor the following:
  - i. Transportation infrastructure that provides safe access for as many appropriate modes of transportation as possible; and,
  - ii. Transportation design that fits within the corridor’s environmental context in that it preserves the scenic, historic, aesthetic, community, and environmental conditions of the location.

**5. Emphasis will be placed on streets located within the City’s Mixed-Use Zoning areas: Gateway, Downtown and Budd/Highway 12.** Streets emphasized for a Complete Streets design include, but are not limited to: Main Street, Maple Avenue, Highway 12, County Road 19/Baker Park Road, County Road 19/Main Street East, County Road 83/Halgren Road, County Road 19/Budd Avenue, and County Road 29/Baker Park Road.

Even though the City emphasizes development of the streets listed above to include Complete Streets elements, the City will also promote the use of Complete Streets elements elsewhere as other public improvements occur.

**6. The City will attempt to draw upon all possible funding sources to plan for and implement this policy and needed complete street features.** The City will actively seek grant funding opportunities that may make the implementation of Complete Streets concepts more economically feasible.

***Exemptions:***

Complete street elements shall be considered and included in street construction, reconstruction, repaving and rehabilitation projects except under one or more of the following conditions:

1. A project involves only ordinary maintenance activities designed to keep assets in serviceable condition such as mowing, cleaning, sweeping, spot repair, concrete joint repair, or pothole filling, or when interim measures are implemented on temporary detour or haul routes;
2. The City determines there is insufficient space to safely accommodate new facilities;
3. The City determines there are relatively high safety risks;
4. The City exempts a project due to the excessive and disproportionate cost of establishing a specific enhancement as part of a project; and, or,
5. The City determines that construction is not practically feasible or cost effective because of significant or adverse environmental impacts to streams, flood plains, remnants of native vegetation, wetlands, steep slopes or other critical areas, or due to impacts on neighboring land uses (including impact from right-of-way acquisition).

In cases where any exemptions occur, the City will seek alternative options as a means to accommodate users with whom the City was unable to initially accommodate.

In all cases where an exemption has been granted, the city administrator or other appropriate official shall document the exemption in the project plan file.