



Mayer Community Center – Council Chambers - 413 Bluejay Avenue, Mayer, MN 55360

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**PLANNING COMMISSION  
REGULAR MEETING**

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**Tuesday  
June 4, 2019  
6:30 PM**

- 1. Call the meeting to order.**
- 2. Approval of the agenda.**
- 3. Approval of the minutes from the May 7, 2019 Planning Commission meeting.**
- 4. Final Review of the City of Mayer Comprehensive Plan 2040 Update.**
- 5. Next Meeting - Tuesday, July 2, 2019**
- 6. Commissioners Report**
- 7. Adjournment.**

**City of Mayer**  
**Planning Commission**  
Meeting Minutes  
Tuesday, May 7, 2019

**Commission Members Present:** Council Liaison Tice Stieve-McPadden, Commissioners Les Hahn, Michael Sommerfeld, Don Wachholz, Barney Johnson and Patty Lanting.

**Commission Members Absent:** Chairperson Tom Stifter.

**Others Present:** Peter Johnson, Chad Zaback and David Weinard.

**Staff Present:** City Administrator, Margaret McCallum

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**CALL MEETING TO ORDER.**

Meeting called to order at 6:30 PM by Vice Chairperson Lanting.

**ADOPT AGENDA.**

A motion to approve the agenda was made by Commissioner Hahn and seconded by Commissioner Johnson. Motion carried 6/0.

**APPROVAL OF MINUTES.**

A motion to approve the March 5, 2019 Planning Commission minutes as amended was made by Commissioner Johnson and seconded by Commissioner Wachholz. Motion carried 6/0.

**SITE PLAN REVIEW FOR A ACCESSORY BUILDING TO BE LOCATED AT 505 SHIMMCOR STREET**

At 6:35 PM, City Administrator, McCallum, presented the information for the site plan review.

The background information included a request from applicant, Peter Johnson, to approve a site plan review for an accessory building to be located at 505 Shimmcor Street.

The property is zoned (C/I) Commercial/Industrial. The proposed building location would meet the required setbacks for the district. The use of storage is a permitted use in this district.

A site plan was previously approved for this property in 2005 which consisted of multiple buildings and paved access to the buildings. The property currently has 3 existing storage buildings. The original plan called for 4 buildings with the ability for expansion.

The proposed new building is different in size from the original site plan. The applicant is also planning to extend the paving to the north building line of the proposed building as shown in the original site plan.

Site plans are required for all non-residential buildings.

With regards to building materials, the applicant is required to satisfy the building design standards of the Code. The lower 30% of the exterior front of the building is to consist of materials that are comparable in grade and quality like brick, stone, concrete or wood.

The Planning Commission, if it deems appropriate, can waive the 30% condition through a variance. It was deemed possibly applicable because the building is tucked behind the main building and not entirely visible from Shimmcor Street.

The applicant would add the appropriate parking spaces; 5 additional spaces.

Landscaping was installed with the original construction along Shimmcor and trees were planted. Therefore this requirement is satisfied.

Outdoor storage has to meet City Code.

Stormwater Management is being reviewed by the City Engineer. However the total new impervious surface would be 74.9% which is under the 85% requirement.

No signage being proposed. Lighting has to meet code.

If approved by the Commission staff recommended conditions related to building design standards, signage, lighting, noise and vibration, outdoor storage, stormwater management, building permits, expiration of the site plan and City Engineer review.

Hahn asked which way the front of the building would face. Johnson informed that it would be looking west (facing Shimmcor) but that it is located in the back of the property behind the main building.

Hahn asked was material the applicant would be using to satisfy the 30% front coverage.

Johnson informed that he would be covering the building sides 100% with a finished cedar wood siding.

Hahn expressed concern over a wood siding and the long-term maintenance of it. He stated that he would rather see a painted steel.

Johnson said that the roof would be a blue color; the same as the other on-site buildings.

Hahn stated that he would like to see the building match more.

Johnson said that he is not against that and would take the Commission's recommendation. He informed that he would be using the building for personal storage and use.

Lanting said she liked uniformity as well. She said she likes the look of the building.

**A motion to recommend approval of the site plan with the conditions listed and with a variance to the 30% condition was made by Commissioner Hahn and seconded by Commissioner Wachholz. Motion carried 6/0.**

#### **NEXT MEETING.**

Next scheduled meeting is Tuesday, June 4, 2019.

#### **COMMISSIONERS REPORT.**

Lanting asked about the Schmidty's Gas station and if it was in the process of being sold. McCallum responded that it was sold.

Hahn handed out information on storm shelters and proposed that the Commission look into creating an ordinance centered around creating shelters for developments that have slab on grade housing.

He expressed concern for the residents of these properties not have adequate shelter in the event of severe weather.

The Commission reviewed the information provided by Hahn and commended his work on the topic.

**Hahn moved to move forward with a storm shelter ordinance and to direct staff to do additional research on the topic and to bring back to the Planning Commission for further discussion and review. Wachholz seconded. Motion passed 6-0.**

**ADJOURNMENT.**

A motion was made by Commissioner Wachholz and seconded by Commissioner Johnson to adjourn the meeting at 7:30 PM. Motion carried 6/0.



## APPLICATION DATA

**Meeting Date:** June 4, 2019  
**Applicant:** City of Mayer

## ACTION REQUESTED

Acceptance and submittal of the City of Mayer 2040 comprehensive plan update to the Metropolitan Council for final review.

## BACKGROUND DATA

**Background:** The Metropolitan Council and State Statutes require cities within the seven county metropolitan area to update their comprehensive plans every 10 years. The most recent update was due to be complete by December of 2018, but in May of 2018 the City Council approved a resolution extending the deadline for submittal to June 30, 2019. It is not uncommon to extend this deadline as numerous other communities have also extended its deadline.

Over the last two and a half years, staff has been working on the draft plan with the Planning Commission and officially submitted the draft comprehensive plan to the Metropolitan Council and neighboring jurisdictions for the mandatory six month review last September. Preliminary comments were received from the Metropolitan Council earlier this spring and those comments were addressed and at this time staff is looking to submit the final comprehensive plan update to the Metropolitan Council for final review and acceptance. Once the Metropolitan Council completes the final review and accepts the plan, the City Council will hold a public hearing for official acceptance of the comprehensive plan. It is expected that the timing for this would be about 2-3 months.

## PLANNING COMMISSION ACTION REQUIRED

After review and discussion by the Planning Commission, a motion is needed to recommend the City Council accept the 2040 comprehensive plan and authorize staff to submit the final plan to the Metropolitan Council for final review.

### Possible action items

1. Recommend to accept and submit the 2040 Comprehensive Plan for final review to the Metropolitan Council.
2. Table the acceptance and submittal of the 2040 Comprehensive Plan for final review to the Metropolitan Council, and provide direction to staff on what issues should be addressed.

If you have any questions relating to the 2040 comprehensive plan prior to the Planning Commission meeting, please feel free to contact me at: [jandersonmdg@gmail.com](mailto:jandersonmdg@gmail.com) or call direct at 952-855-4596.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, INC.

*John Anderson*

John Anderson, Associate  
Consulting Planner, City of Mayer

December 20, 2018

John Anderson, Consulting Planner  
City of Mayer  
413 Bluejay Avenue  
Mayer, MN 55360

RE: **Preliminary Review of the City of Mayer 2040 Comprehensive Plan**  
Metropolitan Council District 4  
Metropolitan Council Review File No. 22091-0

Dear Mr. Anderson:

Metropolitan Council staff have reviewed the preliminary draft of the City of Mayer's 2040 Comprehensive Plan (Plan), received on September 24, 2018. In the preliminary review, staff focused on whether the draft Plan appeared to be complete and contained any major system issues or policy conflicts. Time did not permit as thorough of a review as will occur when the Plan is officially submitted for Council review. A more detailed review may reveal other important matters that were not identified during this preliminary review.

When addressing the matters in this letter, City staff are advised to refer to the City's Checklist of Minimum Requirements in the Community pages of the online Local Planning Handbook and the City's System Statement:

City of Mayer's Checklist of Minimum Requirements:

[https://metro council.org/Handbook/Files/Checklist/02395049\\_Mayer\\_Checklist.aspx](https://metro council.org/Handbook/Files/Checklist/02395049_Mayer_Checklist.aspx)

City of Mayer's Community Page:

<https://lponline.metc.state.mn.us/CommPage?ctu=2395049&applicant=Mayer>

City of Mayer's System Statement:

[https://metro council.org/Communities/Planning/Local-Planning-Assistance/System-Statements/System-Statements/02395049\\_Mayer\\_2015SS.aspx](https://metro council.org/Communities/Planning/Local-Planning-Assistance/System-Statements/System-Statements/02395049_Mayer_2015SS.aspx)

The preliminary review process found the following sections **complete for review** and did not identify any major system issues or policy conflicts: Aggregate Resources, Community Wastewater Treatment, Solar Access Protection and Development, Subsurface Sewage Treatment Systems, Surface Water Management, and Transportation.

**Solar Access Protection and Development** (Cameran Bailey, 651-602-1212)

The Plan is **complete** for Solar Access Protection and Development. Council staff offer the following advisory comments for your consideration. Council staff recommend enrolling in the following cost-free programs, which are designed to provide planning, technical, and policy assistance to local Minnesota governments, as additional "solar implementation strategies" in your Plan:

- U.S. Dept. of Energy's SolSmart Program - Solar Permitting, Zoning, and Development
- MN GreenStep Cities Program – Sustainability Best Practices

- o Xcel Energy's Partners in Energy Program – Energy Action Plan Development
- o Xcel Energy's Community Energy Profile Report – Evaluate how energy is used in community

**Surface Water Management** (*Jim Larsen, 651-602-1159*)

The Plan is **complete** for Surface Water management. If available at the time the City submits its official Plan, Council staff request the City provide the complete final LWMP as an Appendix in the Plan and a summary of the LWMP in the body of the Plan, incorporating any recommended revisions from the Council and Watershed's review of the draft LWMP. If available at the time the official Plan is submitted, Council staff also request that the City provide to the Council the date the Watershed approved the LWMP, and the date the City adopted the final LWMP.

**Transportation** (*Russell Owen, 651-602-1724*)

The Plan is **complete** for Transportation. Council staff offer the following advisory comments for your consideration:

Council staff recommend removing reference to Winstead Municipal Airport as being part of the regional airport system (page 44). In addition, Council staff would find it helpful to have the Plan identify any local roadway issues or problem areas for goods movement, such as weight-restricted roads or bridges, bridges with insufficient height or width clearances, locations with unprotected road crossings of active rail lines, or intersections with inadequate turning radii.

On page 125 of the document, Council staff recommend the following revisions (~~deletions and additions~~) to the text to more accurately describe dial-a-ride and Metro Mobility services.

- ~~Transit Link fares are determined by distance traveled. Trips less than 10 miles are \$2.25 one way, trips between 10 and 20 miles are \$4.50 one way, and trips more than 20 miles are \$6.75 one way. ADA certified riders pay a maximum of \$4.50 one way regardless of distance traveled. Transit Link peak fare is \$4.50 each way, and off-peak fare is \$3.50 each way. Trips longer than 15 miles are subject to a 75-cent surcharge. This fare includes transfer to a regular service route except for the Northstar Line or peak hour services.~~
- ~~Metro Mobility, a Metropolitan Council dial-a-ride service for, is also available to qualified individuals with disabilities on an on-call basis throughout the seven-county metropolitan area-is not available in this area.~~

The following sections of the draft Plan are considered **incomplete**. Changes in the draft Plan are needed before the Plan is submitted to the Council for formal review.

**Forecasts** (*Paul Hanson, 651-602-1642*)

The Plan is **incomplete** for sewer-serviced and TAZ-allocated forecasts, and employment-bearing land use intensity. To be complete for review, the Plan needs to address the following issues.

The Plan needs to provide a table with numbers of population, households, and employment for 2020, 2030, and 2040, broken down between sewer service and unserved forecasts.

Table T-3 in the Transportation Plan section (page 5-108) allocates 2020, 2030, and 2040 forecasts to Transport Analysis Zones (TAZs) within the City. However, the City totals do not

add up to the City 2020, 2030, and 2040 forecasts outlined in Table 2-4. To be complete, Council staff request City staff revise the table to be accurate.

To be complete, the Plan must describe some measure of employment-bearing land use intensity. While density calculations are shown in the tables in Chapter 2, the density calculations must be consistent across tables and descriptive text. Tables 2-4 and 2-23 must be consistent with each other and use the correct forecasted employment growth number (73) consistently.

#### **Housing** (Hilary Lovelace, 651-602-1555)

The Plan is **incomplete** for review for housing. Inconsistent items and advisory comments are also described below.

The Plan has well-constructed needs and thorough descriptions of housing tools, but does not link tools to needs or describe circumstance or sequence in which they would be used to meet the needs of households with varying levels of affordability. The Council has provided a resource that may be of assistance in addressing this issue: Linking Tools to Needs (<https://metrocouncil.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Linking-Tools-to-Needs.aspx>)

#### Incomplete Items

- Projected Housing Need
  - The number for affordable housing need allocation at or below 30% AMI is listed in Table 6-6 as 27, it is actually 28. Please find the Affordable Housing Need Allocation on the City's Community Page in the Local Planning Handbook
  - Sufficient land guided to address the City's share of the regions need for affordable housing in the 2021-2030 decade is not sufficiently described for review. Specifically, the Plan does not identify a clear number of acres available for development of High Density Residential in the 2021-2030 decade. Table 2-20 could be interpreted as there being 9.6 (124 – 114.4) available HDR acres in that decade, and it looks like there might be 10 acres guided in 2030 in Table 2-25, but it is not clear if this is for the 2021-2030 decade. Furthermore, it appears in Table 2-26 that 9.6 acres are rounded up to 10, yet the minimum possible units created is calculated as 96. Please provide consistent data on HDR-guided land available between 2021 and 2030 throughout the land use and housing chapters.
  - In Table 6-8, it isn't clear if net development acres are for the decade of 2021-2030, and the 128.8 acres listed far exceed the 9.6 or 10 acres of HDR referenced in Tables 2-20 and 2-25 for that decade.
- Implementation Plan
  - The Plan needs to describe the circumstances and in what sequence each housing tool will be used. Some tools are not linked to a circumstance in which they will be used, whether that be a specific time in the future (by 2022) or after certain conditions are met (after passage or a formal City policy or community workgroup.) The following tools need more detail explaining circumstances and sequence:
    - Please specify what role the City plays in the deployment of Carver County CDA's housing resources within the City, and describe what types of projects the City would prefer for the use of those tools.
    - Housing Bonds (to be consistent, also need to specify which AMI bands would be prioritized with this tool)
    - Tax Increment Financing (TIF) (to be consistent, also needs to specify which AMI bands would be prioritized with this tool)

- Livable Communities Demonstration Account (to be consistent, also needs to specify which AMI bands would be prioritized with this tool)
- CDBG and HOME (to be consistent, also needs to specify which AMI bands would be prioritized with this tool)
- First time homebuyer, down payment assistance (to be consistent, also needs to specify which AMI bands would be prioritized with this tool)
- Low-interest rehab programs (to be consistent, also needs to specify which AMI bands would be prioritized with this tool)

Inconsistent Items:

- Implementation Plan
  - Some widely used tools to address housing needs are not included. To be consistent, all widely accepted tools must be acknowledged, and the Plan should state if, and if so when and why, it would consider using them to address housing needs:
    - Tax Abatement, include circumstances in which it would be used and which AMI bands would be prioritized with this tool. The Plan only mentions tax abatement in the economic development chapter. (<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Tax-Abatement.aspx>)
    - City support or direct application to specific resources within the Consolidated RFP put out by Minnesota Housing, include circumstances in which it would be used and which AMI bands would be prioritized with this tool (<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/The-Consolidated-RFP.aspx>)
    - Site assembly, which can be very helpful for gaining control of vacant or abandoned property, including partnering with the Land Bank Twin Cities, including circumstances and when the community would consider using this tool (<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Site-Assembly.aspx>)
    - Small Cities Development Program
    - Effective referrals to partner organizations that address housing needs (<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Effective-Housing-Referrals.aspx>)
    - Fair Housing Policy (see more detail in the advisory comments)
    - Participation in housing-related organizations, partnerships, and initiatives (<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Collaborating-on-Housing-Strategies.aspx>)
    - Specific tools that preserve naturally occurring affordable housing, including Housing Improvement Areas, partnerships with sources of preservation financing (MN Housing, Greater Minnesota Housing Fund's NOAH Impact Fund), and 4(d) tax incentives. (<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Housing-Preservation.aspx>)
    - Cooperation/support for Carver County CDA's Community Land Trust to create and preserve affordable homeownership opportunities, including which % AMI would be the target audience for this tool.
  - To be considered consistent, household % AMI (i.e. above 80% or below 60%) must be specified for the following tools that are currently mentioned in the Plan:
    - Housing Bonds
    - TIF

- LCA programs
- CDBG and HOME
- First time homebuyer down payment assistance
- Low-interest rehab programs

#### Advisory Comments

- Council staff encourages the City to include when they will research and consider an Accessory Dwelling Unit (ADU) policy or allow them as a permitted use.
- The affordable units in the City are funded by USDA and likely have an expiration date before 2040. Discussing preservation for this property would strengthen the Plan. (<https://www.housinglink.org/streams/propertydetail.aspx?id=H7631> and <http://ruralhome.org/storage/documents/rd515rental.pdf>)
- Please consider clarifying the Housing Plan Objective 3, "Promote the development of multi-family housing units in areas that are physically suited to serve higher densities," on page 6-14. A description of those types of properties would be beneficial and strengthen the Plan.
- The Regional Input Section on page 6-14 could be strengthened by outlining the ways in which the City cooperates and works with Carver County CDA.
- With respect to a Fair Housing policy: Local Fair Housing policies do not mean that cities should or can manage or administer Fair Housing complaints. A local fair housing policy rather ensures the City is aware of fair housing requirements with regard to housing decisions and provides sufficient resources to educate and refer residents who feel their fair housing rights have been violated (this can be as simple as having links to resources on the City's website). **The Metropolitan Council will require a local Fair Housing policy as a requirement to draw upon Livable Communities Act (LCA) awards beginning in 2019.** To learn more, and review a template local fair housing policy, please refer to the following resources:
  - Creating a Local Fair Housing Policy webinar: <https://www.youtube.com/watch?v=38JY4pNGnZ8&feature=youtu.be>
  - Best Practices: <https://metro council.org/Handbook/PlanIt/Files/Webinar-Fair-Housing-Handout2.aspx>
  - Policy Template: <https://metro council.org/Handbook/Training/Webinars.aspx> - click on Handout 1 under the Implementing A Local Fair Housing Policy at the bottom of the screen.

#### **Land Use** (*Jake Reilly, 651-602-1822*)

The Plan is **incomplete** for Land Use. To be complete for review, the Plan needs to address the following issues.

The description of the Low Density Residential land use category provides clear direction about allowable uses. However, it ends with a sentence implying that even higher densities may be allowable via use of a PUD. The Plan should indicate the upper limit of allowable higher densities, and under what circumstances those higher uses might be allowed. Alternatively, the Plan could also remove that language, as regarding to a higher density land use category is also an option for higher density residential land uses. Just a reminder that zoning cannot be used to allow for development that is inconsistent with the City's comprehensive plan, including the defined allowable density range.

The Future Land Use map (Map 2-3, page 44) is clear and legible. However, clarification is needed on the allowable density for downtown commercial areas. Based on the text on page

47. Council staff understands that the allowable density in this zone is 1 to 22 units per acre, a range that extends from low-density residential to high density-residential. Council staff recommend refining these allowable density ranges with consideration to the types of housing that the City would consider allowing in the downtown area.

The Future Land Use map (Map 2-3, page 44) does not show land use guidance for parcels with which the City has an existing orderly annexation agreement. Council staff recommend that if the City is not going to show land use guidance in the areas shown on the Future Land Use map on page 44 as "Area Removed from OAA," that the Plan indicate what authority or jurisdiction guides or will guide land use in those areas. More importantly, Council staff recommend City Staff consult with the City's Legal Counsel about how to describe these areas because there is no evidence found in the Minnesota Office of Administrative Hearings' Municipal Boundary Adjustment documents that these lots may be listed as "removed" from the orderly annexation agreements and therefore some other descriptive term may be more appropriate on the map.

The land use chapter does not contain a discussion of Agricultural Preserves, but there are three parcels that are designated as Agricultural Preserve until 2022. To be complete, the Land Use Chapter must include some discussion of the existing Agricultural Preserve lands with the City of Mayer's jurisdiction.

#### **Parks** (*Jake Reilly, 651-602-1822*)

The Plan is **incomplete** for the Regional Parks and Trails System. To be complete for review, the Plan needs to clearly depict the Dakota Rail Regional Trail on all trail maps in Chapter 5 – Parks & Trails (Maps 5-3, 5-5, and 5-6). Council staff advise including the Dakota Rail Regional Trail in related maps in the Transportation and Land Use Chapters.

The Western Carver County Regional Trail Search Corridor is acknowledged in the Transportation Chapter in text and on Figure T-10. Council staff advise that the Plan could include a description in the Parks, Trails, and Recreation Chapter for a more complete discussion of trails in that portion of the Plan. Council staff advise adding the search corridor to Maps 5-5 and 5-6 to represent all future facilities.

#### **Wastewater** (*Roger Janzig, 651-602-1119*)

The Plan is **incomplete** for wastewater. To be complete for review, the Plan must include the following items:

- A map or maps (GIS shape files or equivalent) showing the following information:
  - Local wastewater service areas through 2040.
  - Staging plan, if available.
  - Proposed changes in governmental boundaries affecting the community, including any areas designated for orderly annexation.
  - Proposed timing and financing of any expanded/new wastewater treatment facilities.
- Goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (I/I) in the local sanitary sewer system, including a discussion of sump pumps and drain tile connected to the local sewer system.
- A copy of facility planning reports for the upgrading of your local wastewater treatment plant.
- Copies of the associated National Pollutant Discharge Elimination System (NPDES) of State Disposal System (SDS) permits.

**Implementation** (*Jake Reilly, 651-602-1822*)

The Plan is **incomplete** for implementation. To be complete for review, the Plan needs to define a timeline as to when actions will be taken to implement each required element of the Plan including a schedule for the preparation, adoption, and administration of stated changes to official controls. The Plan must also include a Capital Improvement Program that summarizes at a high level the plans for implementing improvements related to wastewater, parks and trails, and transportation.

In summary, the submitted draft Plan is missing a number of items and may require revision. If you have any questions or need further information regarding the comments in this letter, please contact Jake Reilly, Principal Reviewer at 651-602-1822 or Angela R. Torres, Sector Representative at 651-602-1566.

Sincerely,



Lisa Beth Barajas, Director  
Community Development

CC: Margaret McCallum, Mayer City Administrator  
Deb Barber, Metropolitan Council District 4  
Angela R. Torres, Sector Representative  
Jake Reilly, Principal Reviewer  
Raya Esmaeili, Reviews Coordinator

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