

PLANNING COMMISSION MEETING

April 25, 2011

7:00pm

1) **Call to Order:** Commission members present: Chair Heck, Pollmann, Watson, Strandell, Sandholm, Stulberg, and Warner. Staff present: Senior City Planner Breanne Rothstein and Council Liaison Cheryl Fischer.

a) Approval of Agenda

Chair Heck stated, hearing no objections the agenda was approved.

b) Approval of Minutes – March 28, 2011

Motion by Pollmann and second by Warner to approve the March 28, 2011 minutes as presented. Motion carried 7-0-0.

2) Public Hearings:

a) **EASEMENT VACATION:** Application from Hermitage Shores and Klein Bank to vacate certain platted easements within the Hermitages Shores subdivision; R-1 Residential Zoning District: PID #s 3511724120037, 3511724120038, 3511724120039, 3511724120040, 3511724120041, 3511724120042, 3511724120043, 3511724120048, 3511724120047, 3511724120046.

Rothstein explained the utility and drainage easements. She stated an application has been made to vacate certain standard drainage and utility easements in the Hermitage Shores Addition. The easements are taken as standard easements along lot lines for drainage and small utilities. The new standard drainage and utility easements will be taken along the new property lines.

Chair Heck opened the public hearing at 7:14 p.m.

Marty Champion, Engineer for the redevelopment of Hermitage Shores. He stated the reconfiguration of the lots requires the vacation of the easements and as part of the replatting process new easements would be platted. He recommended locating the construction access at the existing gravel easement driveway to save the street.

John Lewis (5950 Stonebridge Road) stated his family is tired of the construction. During the construction of this area they have had dump trucks and construction workers coming up and down the street. He stated there was an agreement between all parties that the easement was for only a short time. He would like signage stating the road is a private driveway. Mr. Lewis stated when the development was proposed the density was appropriate and now the three lots behind his home are being turned into four lots. He stated the current residents should not be penalized and he is not in favor of the four lots behind him because it will also hinder his privacy and lessen his property value. He recommended the construction vehicles take the main road.

Mr. Champion stated they can sign the private driveway and they can move the construction traffic onto the constructed road.

Chair Heck closed the public hearing at 7:44 p.m.

- b) EXPEDITED SUBDIVISION: Application from hermitages Shores and Klein Bank to re-plat certain lots in Hermitage Shores to Hermitage Shores 2nd Addition; R-1 Residential Zoning District: PID #s 3511724120037, 3511724120038, 3511724120039, 3511724120040, 3511724120041, 3511724120042, 3511724120043, 3511724120048, 3511724120047, 3511724120046.

Rothstein presented the history of the Hermitage Shores subdivision. The applicant is requesting the reduction of one lot on the lake in order to have three larger lots and in order to remain compliant with the Comprehensive Plan staff has directed the applicant to accommodate an additional lot elsewhere on the property to stay consistent with the 20 lot minimum in this area. The applicant is proposing to add one lot on the south side of Hermitage Trail, resulting in four lots along the south side of the road west of the Outlot. Rothstein presented the summary dated 4/25/11.

Rothstein stated staff is working with the applicant to complete the outstanding items and staff is requesting these are completed before the Hermitage Shores 2nd Addition is recorded. The items were listed in the packet dated 4/25/11. Outlot b and c would be included into lot one in the 2nd addition.

Chair Heck opened the public hearing (consecutive with the above public hearing) at 7:30 p.m.

Mr. Champion stated the factor for the realignment of the lake lots is that they have three purchase agreements for the lake lots. They looked through the subdivision, shoreland vs. non-shoreland, and it made the most sense to put the extra lot where it is proposed. He stated the lots are larger than the minimum lot size and fit within the city requirements.

Mr. Lewis stated the lots are not reflective of the surrounding properties. He stated there would be more traffic if there is another lot put in. He felt this would be imposing a hardship on him and his family. Mr. Lewis stated his lot is approximately 26,000 square feet.

Mr. Champion questioned recommendation number 4 being required before going to Council. Rothstein questioned the commission if the developer should be allowed to move forward with the utilities before the first addition is done.

Jim Knutson, Klein Bank, clarified that Klein Bank has two letters of credit for the remaining work to be done and the city is the beneficiary of those letters of credit. He stated the purchase agreement is being driven by the market. He stated the smallest lot is approximately 19,000 square feet. He stated they would be taking away one dock. Mr. Knutson stated the three lake lots are all sold contingent on the lot adjustment.

Chair Heck closed the public hearing at 7:44 p.m.

Stulberg stated the plan for relocation for the utilities should be in place.

Stulberg discussed the original plan. Strandell questioned if the extra lot could be added anywhere in the development, possibly the northern end. Rothstein stated that would require a variance and this is the only location in the development that would not need a variance. Strandell questioned if the Metropolitan Council could drop the unit number from 20 to 19. Rothstein stated it would require a comprehensive plan amendment.

Stulberg stated by not approving the subdivision it could cause the delay of the construction of all the other properties and prolong the time this area stays undeveloped. He recommended looking at ways to reduce the construction traffic. He recommended using the main road instead of the driveway easement. Rothstein stated any repair needed on the road would be the developers responsibility and the city would not accept it without the final wear on it. Rothstein stated without using the driveway easement there would be disruption on Stonebridge Road which is a public road.

Stulberg suggested the developer keep the residents best interest in mind with the construction traffic. Rothstein stated she would recommend using Hermitage Trail as the primary construction road. Strandell questioned if there would be or could be any dust abatement on the road. Mr. Campion stated the heavy equipment would be a backhoe and a compactor going through on a flatbed. He stated he was proposing coming in on Stonebridge to Hermitage to the driveway easement. Mr. Campion stated he would prefer not to drive the heavier equipment on the finished road but he would if it is required by the city and they (the developer) would be responsible for any damage. Strandell recommended wetting the road down to keep the dust down then the private easement would be in use.

Mr. Lewis stated there was a previous engineer who tried to stop the construction traffic on the easement and watering down the road would not work for longer than a half an hour. Mr. Lewis stated there was some square footage being picked up from the outlot to get the amount of square footage needed on the new parcels.

Sandholm questioned if there was some sort of screening that could be put up to screen the smaller lots from the existing residents. Rothstein stated plantings could be a requirement.

Discussion was held on the pair of nesting eagles located in a large pine tree. Rothstein stated these are regulated by the Fish and Wildlife Services.

Motion by Stulberg and second by Pollmann to recommend to City Council approval of the EASEMENT VACATION: Application from Hermitage Shores and Klein Bank to vacate certain platted easements within the Hermitages Shores subdivision; R-1 Residential Zoning District: PID #s 3511724120037, 3511724120038, 3511724120039, 3511724120040, 3511724120041, 3511724120042, 3511724120043, 3511724120048, 3511724120047, 3511724120046. Motion carried 7-0-0.

Motion by Stulberg and second by Warner to recommend to City Council approval of the EXPEDITED SUBDIVISION: Application from hermitages Shores and Klein Bank to re-plat certain lots in Hermitage Shores to Hermitage Shores 2nd Addition; R-1 Residential Zoning District: PID #s 3511724120037, 3511724120038, 3511724120039, 3511724120040, 3511724120041, 3511724120042, 3511724120043, 3511724120048, 3511724120047, 3511724120046. With contingencies listed by staff with the correction to item four. Motion carried 7-0-0.

Motion by Warner and second by Heck to recommend to City Council to amend the above motion to add a contingency stating all traffic is to go on Stonebridge and Hermitage and signage is to be placed on the private easement stating no construction traffic is allowed. Motion carried 7-0-0.

Discussion was held on the construction traffic entrance. Pollmann recommended the city engineer decide which road would be the best. Mr. Campion stated equipment on a low-boy would not fit on the easement driveway anyway and they would have to go on the road. The Commission recommended all traffic use the finished road and not the easement. Mr. Campion stated they can put up a no construction traffic sign on the easement.

- c) **COMPREHENSIVE PLAN TEXT AMENDMENT:** Resolution approving a Comprehensive Plan Text Amendment to reduce the minimum density in the low-medium density land use district from 5 to 3.5 units per acre.

Rothstein stated this is a follow up item to pass an ordinance to amend the low-medium zoning district from 5 to 3.5 units per acre.

Chair Heck opened the public hearing at 8:28 p.m.

Bob Swenson (5017 Minneapolis Avenue) asked for clarification on the location of the property in question compared to his home. The area of the property for the amendment was pointed out to Mr. Swenson.

Chair Heck closed the public hearing at 8:32 p.m.

Motion by Warner and second by Strandell to recommend to City Council to approve the **COMPREHENSIVE PLAN TEXT AMENDMENT:** Resolution approving a Comprehensive Plan Text Amendment to reduce the minimum density in the low-medium density land use district from 5 to 3.5 units per acre. Motion carried 7-0-0.

- d) **ZONING AMENDMENT:** Ordinance 397 to rezone the Red Oak Golf Course from SDD Staged Development District to R-2 (a) Low-Medium Residential; 855 Red Oak Lane; PID # 1211724110004.

Rothstein stated staff would be going to City Council to submit a form to Metropolitan Council. This would satisfy what the Comprehensive Plan guides.

Chair Heck opened the public hearing at 8:36 p.m.

Grant Wenkstern (710 Northshore Drive West) (owner of Red Oak Golf Course) stated he is hoping this area would be developed within five years.

Chair Heck closed the public hearing at 8:38 p.m.

Motion by Stulberg and second by Watson to recommend to City Council approval of the **ZONING AMENDMENT:** Ordinance 397 to rezone the Red Oak Golf Course from SDD Staged Development District to R-2 (a) Low-Medium Residential; 855 Red Oak Lane; PID # 1211724110004. Motion carried 7-0-0.

Stulberg stated he was not in favor of removing the multi-family portion for this area.

3) Discussion Items:

a) Discuss Outside Storage in Ag Districts

Rothstein stated this item is to seek guidance with regard to outside storage standards in the City of Minnetrista. As part of the 2006 re-zonings, city staff included housekeeping changes. She noted one of these changes was to eliminate the antiquated RA (Rural-Agriculture) references in City Code. In the outside storage section, the RA zoning district reference was removed from the list of districts requiring screening, effectively exempting all land zoned Agriculture from the buffering and other outside storage requirements in the city code.

Rothstein stated the city has received about 11 complaints on outside storage in the agricultural districts. The problem areas include the storage of equipment intended for commercial use and the storage of trucks and trailers used for hauling and moving. The city also received several complaints about "junk" being stored outside on agricultural property. Rothstein stated there are a lot of lots that are less than 10 acres that are zoned agriculture. Rothstein recommended adding Agricultural District to the screening code. Rothstein stated farm machinery can be exempt. Chair Heck questioned trailers less than 30 feet in length. Rothstein stated staff was thinking of semi-trailers.

Discussion was held on having trailers parked a certain amount of feet from the property line. Chair Heck questioned the height limit on fences. Rothstein stated a fence over 6 feet needs a building permit. Stulberg questioned if signs are allowed in the agricultural district. Rothstein stated they are. Rothstein stated the ordinance could be done by lot size. Warner recommended questioning other communities as to their ordinance for outside storage. Commission concurs on leaving the code as is.

4) Informational Items:

a) Staff Report:

i) Trista Day

A Woodland Cove flyer with all meeting dates will be available.

2010 census.

There will be a city booth this year.

Flyer with the strategic plan.

Informational flyer on the Planning Commission.

ii) Regional Trail Planning

Rothstein stated they are working on a regional trail. There will be an open house held for further discussion.

iii) Woodland Cove Open House Date

Monday, June 13, 2011. 6:00 – 9:00 p.m. in the police training room. This will be a chance to talk one-on-one with the development team, staff, and residents.

This will be an informal meeting.

b) Council Reports

A consultant has been hired to study the police and fire.

Stulberg recommended making any resolutions passed on to Council as succinct as possible. Mayor Fischer recommended having a Planning Commissioner member present at a Council meeting if there is a particular item to be discussed.

Pollmann recommended having a working session prior to the Planning Commission meeting to get a better understanding the issues. Mayor Fischer stated the Commission members could go to a specific property if there is one being discussed or call staff with any questions and that the agenda could be sent out a week early so the Commissioners would have the property addresses being discussed.

5) Adjournment:

Motion by Strandell and second by Pollmann to adjourn. Motion carried 7-0-0. The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Terri Haarstad
City Clerk