

Planning Commission
August 1, 2016

Pursuant to due call and notice thereof, a Planning Commission meeting was held on August 1, 2016, at 6:30 p.m. at Sartell City Hall.

MEMBERS PRESENT: Ryan Fitzthum, Dawn Moen, Abby Legatt (arrived at 6:35)

MEMBERS ABSENT: Gary Orman, Anna Gruber

OTHERS PRESENT: Colby Warzecha, Student Liaison
Anita Rasmussen, Community Development Director
Mike Nielson, City Engineer

Fitzthum called the meeting to order at 6:30 p.m.

AGENDA REVIEW AND ADOPTION

A MOTION WAS MADE BY MOEN TO APPROVE THE AGENDA AS AMENDED. THE MOTION WAS SECONDED BY FITZTHUM. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: FITZTHUM, MOEN

NAY: NONE

MOTION CARRIED

APPROVAL OF MINUTES OF PREVIOUS MEETING

A MOTION WAS MADE BY MOEN TO APPROVE THE MINUTES OF THE JUNE 28, 2016 REGULAR MEETING. THE MOTION WAS SECONDED BY FITZTHUM. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: FITZTHUM, MOEN

NAY: NONE

MOTION CARRIED

NEW BUSINESS

BLACKBERRY RIDGE WEST

Pete Yarmon is requesting the approval of a rezoning, preliminary and final plat for his development known as Blackberry Ridge West. This property was annexed into the City in 2013. At that time, the City designated the property as Ag until such time as redevelopment/replating would occur. The property does contain one single family home which will remain. The rezoning from AG to R-1 Single Family Residential will allow for additional single family homes and will create consistent zoning district standards to the development east of Blackberry Ridge West. The rezoning is consistent with the draft future land use plan (and existing land use designation of 0-5 units per acre). The preliminary and final plat consists of 4 single family lots and one outlot. Conditions of approval:

1. Removal of the existing driveway to 35th Street North. No additional driveways would be allowed onto 35th Street North.

2. Wetlands will need to be staked and signed per the City ordinance.
3. Existing home must eliminate the private septic and hook up to City water for domestic purposes.
4. Because of the significant forest canopy, this development will not be required to mass grade and instead would be subject to individual grading plans based on the layout of the home (but consistent with the overall grading plan).
5. Only 10 % of the mature deciduous trees (6 or more inches DBH) on the property can be removed during the construction project. (The house and driveway footprint along with utility corridors are exempt from the 10%).
6. Subject to engineering comments (WSB memo dated July 25, 2016).

A MOTION WAS MADE BY MOEN TO RECOMMEND APPROVAL OF THE FINDINGS OF FACT. MOTION WAS SECONDED BY LEGATT. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

**AYE: FITZTHUM, MOEN, LEGATT
NAY: NONE
MOTION CARRIED**

A MOTION WAS MADE BY MOEN TO RECOMMEND APPROVAL OF THE ORDINANCE. MOTION WAS SECONDED BY LEGATT. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

**AYE: FITZTHUM, MOEN, LEGATT
NAY: NONE
MOTION CARRIED**

A MOTION WAS MADE BY MOEN TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH CONDITIONS. MOTION WAS SECONDED BY LEGATT. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

**AYE: FITZTHUM, MOEN, LEGATT
NAY: NONE
MOTION CARRIED**

A MOTION WAS MADE BY MOEN TO RECOMMEND APPROVAL OF THE FINAL PLAT AND DEVELOPMENT AGREEMENT WITH CONDITIONS. MOTION WAS SECONDED BY FITZTHUM. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

**AYE: FITZTHUM, MOEN, LEGATT
NAY: NONE
MOTION CARRIED**

SANDSTONE VILLAGE 3

PEI Properties LLC is requesting the approval of a rezoning, preliminary and final plat. Currently, the property is designated as R-3 (multifamily). The property owner is requesting the rezoning to a PUD to create a patio home development which offers smaller lot sizes, shorter setbacks for the side yard and rear yards. The impervious surface areas would generally be the same (or less). The existing Sandstone Village, which contains townhome lots, will remain as R-3 lots. The preliminary and final plat consists of replatting 23 townhome lots into 13 single family lots. Conditions of approval consist of:

1. **Setbacks – front 30, interior side 5’, street side 20’, rear 20.’ (THE PLAT SHOULD REFLECT THE SIDE STREET SETBACK)**
2. **MN Rules 1309.302.1:** The required **Fire Separation** distance measured perpendicular from the property line to the outside finish materials of the structure must be a minimum of 5 feet or the exterior wall must be approved 1-hour construction. In addition, any eave projection that would extend into the 5 foot **Fire Separation** would have to be protected with 5/8” type X sheetrock on the underside. To avoid having additional construction costs to provide a fire-resistive construction for the exterior wall and eave projection, the structure will need to be built further away from the side yard property line setback that the proposed PUD allows (7 feet).
3. The developer shall deposit \$16,000 (32 x \$500) into City escrow prior to recording for the purposes of repair and maintenance for the pending utility capping
4. A volume of ½” over the impervious area of the lots being re-platted must be provided for and infiltrated on site (per new Stormwater rules)
5. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet & will need to meet the specifications of Chapter 5 (Section 503 & Appendix D) of the IFC. Access roads may need to have NO PARKING FIRE LANE signage installed on both sides & painted curbs may be required to be installed on both sides of the access roads depending on the width of the access roads.
6. Meeting the City Engineering Comments (WSB Memo date July 25, 2016)

Fitzthum asked if we can require street lights to be installed in this development since the property was a tax forfeited property. Poplinski indicated he has committed to providing at least 2 new street lights.

Moen asked if sidewalks are currently installed.

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NAY: NONE

MOTION CARRIED

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AYE: FITZTHUM, MOEN, LEGATT

NAY: NONE

MOTION CARRIED

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AYE: FITZTHUM, MOEN, LEGATT

**NAY: NONE
MOTION CARRIED**

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NAY: NONE
MOTION CARRIED**

FERCHE SOUTHWEST 35

Four Points Development is requesting the rezoning, preliminary and final plat of 35.11 acres known as Ferche Southwest 35. Currently, the property is designated as AG. Agricultural. The property owner is requesting the rezoning to an R-5 Planned Unit Development to create a mixed residential and commercial development. The plat consists of 3 multifamily lots and 4 commercial lots with the following design provisions:

Residential – Same as R-4 Standards, up to 18 units per acre.

Commercial Standards same as B-2 Except for the following:

- Street Setback – outside of the drainage and utility easement (12 feet).
- Rear Setback – 40 feet
- Side and Street Side Setback – 12 feet
- Green Space – 25% Minimum

Along 15th Street South, buildings shall be oriented towards the road with parking behind the buildings to create a downtown feel.

Residential may co-locate on top of commercial with a height to not exceed 4 stories.

All commercial buildings shall have a street façade which accommodates the main entry, with a secondary entry in the rear or side of the building.

All sides of the buildings shall have the same level of architectural detail and window openings. Exterior materials and finishes should be consistent with all buildings in color and type within the PUD. Exterior finishes shall be consistent with those allowed in the B-2 district

Moen asked if sidewalks are proposed.

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NAY: NONE
MOTION CARRIED**

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NAY: NONE**

MOTION CARRIED

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NAY: NONE

MOTION CARRIED

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AYE: FITZTHUM, MOEN, LEGATT

NAY: NONE

MOTION CARRIED

PINE LAKES 3

Four Points is requesting the approval of a 16 single family development consistent with the Ferche 600 preliminary plat. Conditions of approval consist of:

1. This final plat is subject to the subdivision standards approved in 2014.
2. Prior to the issuance of a certificate of occupancy, each lot will be required to plant one tree in the front yard based on the City Standards.
3. All of the proposed lots, driveway entrances, housing types and elevations shall be constructed as proposed. If there is a desire to deviate during the building permit process, the builder/developer will be responsible for obtaining a new grading plan approval from the City (along with application/fees).
4. This development is subject to trunk storm, water, and sewer fees as dictated in the Development Agreement.
5. All Engineering issues are resolved (See letter dated July 25, 2016)
6. All Fire Code issues are met (See letter dated July 25, 2016).
7. Identify/designate the wetland as delineated on lot 1, block 4.
8. Temporary cul-de-sac is necessary (bituminous) at the end of 17th Street S.
9. Name "Street Name" as 18th Street South.

Moen asked if sidewalks are proposed.

A MOTION WAS MADE BY MOEN TO RECOMMEND APPROVAL OF THE FINAL PLAT AND DEVELOPMENT AGREEMENT WITH CONDITIONS. MOTION WAS SECONDED BY FITZTHUM. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: FITZTHUM, MOEN, LEGATT

NAY: NONE

MOTION CARRIED

WOLLAK CONCEPT PLAN

Wollak Construction is requesting feedback for a potential land use amendment and rezoning request which is not currently supported by Staff on property he owns just off of 14th Avenue E.

The current land use designation of the property is office/warehouse with a zoning designation of I1 – Light Industrial. The future land use for the property is not proposed to be changed with the 2016 update.

Property to the north and east of the conceptual plan would continue to be I1 (land use of office warehouse). Property to the south (Sauk Rapids) would continue to be zoned and guided for Commercial development. Property to the west of the conceptual plan is zoned PUD – single family residential.

As proposed, the land use and a rezoning would be inconsistent with what is proposed in the draft future land use map. Because the only access to the property would be from 14th Avenue East which is primarily commercial and office traffic, that there's a reasonable amount of appropriately zoned and guided property for single family residential development and that it's not within the realm of good planning to change land uses due to an individual property owner's market demand (or lack thereof).

Wollak indicated he has held onto the property for a number of years and is unable to sell it. Rasmussen reminded the Commission that we are unable to make land use decisions based on market conditions.

Fitzthum suggested he would be more inclined to support a change in use if the roadway does not get its primary access from 14th Avenue East. Nielson suggested that there may be some concern or limitations on a roadway being constructed from Oak Pond Drive.

No other feedback was provided.

TEMPORARY FAMILY HEALTH CARE DWELLINGS

In 2016, The Minnesota Legislature enacted a new law which requires Cities and Counties to allow temporary family health care dwellings as a permitted use. The intent of the law was to encourage and provide transitional housing for those that have short-term medically induced housing needs. Anyone certified with needing assistance for medical and physical reasons may reside in a qualified temporary dwelling unit on a property where the caregiver or relative resides.

Unless a City opt's out, Cities will be required to accept applications for temporary dwelling units and issue the permits within an expedited specified timeline starting on September 1, 2016.

If a City opt's out of the local permit process, the City maintains the right to ensure compliance with and enforce the applicable criteria of the new State law. Opting out also allows the City additional time to review and monitor the temporary housing needs and it's impact to local ordinances and processes.

Fitzthum believes it's in the City's best interest to opt out as allows, but we should continue the discussion on these types of dwelling units sooner rather than later to ensure we have the appropriate provisions in place prior to any requests are submitted.

A MOTION WAS MADE BY MOEN TO RECOMMEND THE ORDINANCE OPTING OUT OF THE PERMITTING REQUIREMENTS. MOTION WAS SECONDED BY FITZTHUM. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: FITZTHUM, MOEN, LEGATT

NAY: NONE

MOTION CARRIED

OTHER BUSINESS

Project Updates

Rasmussen and Nielson provided updates on the following issues:

- I2 Task Force (Legatt would also serve as a Planning Commission representative)
- Comprehensive Plan
- Heritage Roundabout

ADJOURN

LEGATT MADE A MOTION TO ADJOURN THE MEETING AT 7:15 PM. THE MOTION WAS SECONDED BY MOEN. UPON VOTE BEING TAKEN THE FOLLOWING VOTED:

AYE: MOEN, FITZTHUM, LEGATT

NAY: NONE

MOTION CARRIED

Minutes by:

Anita Rasmussen, Community Development Director