

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
March 21, 2018**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chairman Steinke.
2. **Roll Call:** Present were Ray Steinke, Brittney Berndt, Todd Gardner, Liz Fairbanks, Greg Zutz, and Julie Morin. Absent: William Murray. Others in attendance: Councilman Rich Skordahl, Kate Thunstrom Community Development Director, Mike Creelman Assistant Community Development Director, Jim Robinson Sambatek/City Planner
3. **Adopt Agenda:** Motion by Zutz second by Berndt to approve the agenda. Motion carried 6-0.
4. **Approve Minutes:** Motion by Berndt second by Fairbanks to approve the February 21, 2018 minutes. Correction was brought to attention by Zutz, Joel Olson was not in attendance at the February 21, 2018 meeting. Motion to change and approve minutes carried 6-0.
5. **Public Comment:** None received
6. **Public Hearing:**
 - a. **Planned Unit Development – Laketown Homes, LLC**
 - Robinson reviewed the packet. 112 units being built on 42.5 acres consisting of single family homes that is consistent with the land use guidance.
 - One important note is a 30 foot rear yard setback adjacent to the North Property line, when technically 35 foot setbacks are required in A-3 zoning.
 - Also, creation of smaller lots on East side of the development is included in the plan, which are believed to help expand the City life cycle housing stock.
 - Engineering, infrastructure and environmental impacts were explained as written in the Planning report.
 - Park land dedication is included in the development as the comprehensive plan addresses.
 - Interim Use permit for grading is not required as this can be handled through the PUD and development agreement process.
 - Rezoning of the property is needed for the PUD overlay.
 - Steinke, on page 19 item four and item nine are duplicates, so item nine should be removed as it is not needed.
 - Zutz, looked for clarification of the setbacks of 30 feet on the Northern portion of the development.
 - Robinson, if the property to the North gets developed as an R-2 zone then the setbacks of that property will change to 30 feet becoming consistent with the development being discussed tonight.
 - Zutz, What is the reasoning for the 30 foot setback rather than the 35 foot setback? Layout of land or amount of land, etc?
 - Robinson, the traditional R-2 rear yard setback is 30 feet, however because it is adjacent to a different zone the code would normally require that it match the rear yard setback of the adjacent zone.
 - Public Hearing Opened 7:15 p.m.
 - Darwin property owner, 3220 241st Ave NW, have concerns about the property directly adjacent to the North of the development and the setbacks. It was also explained that a

fence is wanted along the Northside of the development for encroachment, safety and liability concerns. Mention was made about the wetland and wildlife just north of the development and the impact the development may have on that. Access to the agricultural field just north of cul-de-sac road will be lost with this development plan.

- Morin, asked about the mention of Eagles nesting on the 3220 241st Ave NW property and how far these nests are from the new development.
 - Darwin, explained that Eagles are nesting on the property on the North side of the 3220 241st Ave NW property along the river.
 - Morin, asked if a wildlife survey been done on the 3220 241st Ave NW property?
 - Darwin, no official wildlife survey has been done.
 - Morin, asked about the fence and what it would look like.
 - Darwin, did not have any specific type of fencing in mind.
 - Morin, asked about any concerns of nitrates spreading into the wetlands.
 - Darwin, said this is a concern and believed that having a physical barrier such as fence would help address that.
- Mark Lonsky, 3368 235th Ave NW, amount of traffic and safety is the concern with only one access point to County Road 72.
 - Steinke, explained that the County is not granting an additional access point at this time.
 - Gardner, explained that the County is not willing to grant an access because of the curve in the County road.
 - Fairbanks, explained that there is a possibility of turn lanes as well as a speed study to be done on that County road. Reaching out to the County Commissioners should also be done to let them know about these concerns.
 - Lonsky, explained that the entrance from 239th Ave NW is also located on a curve.
 - Gardner, explained that the Developer, the City and the County have all been discussing the access issue and the County is not willing to grant a second access at this time.
- Joe Jensen, 3564 235th LN NW, major concern is traffic amount driving through the development.
- Curt Peterson, 23566 Vintage St. NW, concern is the traffic and density of the development.
- Close Public Hearing at 7:42pm
- Zutz, addressed traffic as concern and a second access should be pushed on the County.
- Fairbanks, stated that safety is the number one concern.
- Julie, asked how do we go about addressing the safety and traffic concerns? Do we have the developer start a dialog with the County? What direction should we go?
 - Thunstrom, City staff is currently working with Anoka County. Rum River Bluffs developer states that turns lanes should be added to the County Road and they are believed to be having conversations about that currently. County is aware that the intersection is not ideal and the City staff continues to push Anoka County on this access issue, but at this time the County will not grant a second access until the development reaches 239th Ave NW. Temporary access is being discussed for heavy equipment, construction vehicles, etc. This temporary access would be located near the cul-de-sac road that comes off of the County Road north of 235th Ave NW.
- Steinke, asked for clarification and an explanation about the cul-de-sac being discussed.
 - Thunstrom, the cul-de-sac is currently County property that is being transferred to the City that will be used in this development. If the County allows this property to be used as a temporary access, it is not clear how long it can be used.

- Morin, questioned NEPA being triggered by Eagles nests and if there should be further discussion about that. Also, asked if there is anything the Commission needs to do in relation to the fencing concern.
 - Steinke, explained that it is not mandatory for the Commission to address the fencing concern further.
 - Darwin property owner, 3220 241st Ave NW, provided the Commission with State Statute 344 that requires fencing in certain circumstances.
- Morin, add that there are several concerns that seem to need further discussion.
- Steinke, reviewed the conditions provided in the Planning report and fencing is not something the City can enforce.
 - Thunstrom, reaffirmed that there is nothing in City code that requires development to add a fence. Issues would arise in regards to maintenance, costs and several other things that come along with fencing.
- Berndt, asked if the City addressed the fence law in the recent past and drafted up some sort of City code for this.
 - Thunstrom, explained that the City would research this State Statute further and any past meeting that may have addressed it.
- Thunstrom, explained the preliminary plat process and how many of these concerns can be addressed further at the Final Plat process.
- Fairbanks, asked about the Eagles and if tabling this preliminary plat would give staff time to addressed these items at a later meeting.
 - Thunstrom, The DNR and the Wetland Conservation District so a lot of these items are reviewed.
- Steinke, added that we need to allow the City to grow, but questioned the density and an association.
 - Thunstrom, There is no association planned and the density is guided by the Comprehensive Plan and Met Council requirements.
- Berndt, stated that there are a lot of unknowns and would like some of these things answered.
- Steinke, addressed the 60 day rule which would expire on April 16th.
- Marty Campion, Campion Engineering, stated that many of these questions can be answered while keeping with the current timeline of the project.
 - Morin, asked how much could this hurt the development if it was delayed by 60 days?
 - Campion, explained that with the short construction season in Minnesota, delaying a project by 60 days can push construction into winter.
- Steinke, addressed the Eagle comment and is not sure if any potential issues are there.
- Morin, requested to any documentation from the DNR that is available that relate to this development.
- Zutz, stated that growth is a good thing for the City, but with the County road and traffic issue it may not be a good thing at this time.
- Dale Willenbring, Laketown Homes LLC, explained the development and addressed many of the issues that were discussed during the meeting. Safety, access and neighboring properties are all being addressed in the plan. Walked through all of the different housing units, accesses and park areas.
 - Zutz, thanked the developer for their plans to add a park in the development. Also asked the developer if any dialog has occurred between the developer and County Highway department.
 - Willenbring, conversations have been had with the County and the curve and spacing seem to be the main concerns at the County level.
 - Thunstrom, added that the County did a preliminary review of the plans and addressed the accesses, but did not provide a clear answer to what will be allowed for the project. Turn lanes is part of the development agreement for Rum River Bluffs and so

they may be added to the intersection. But the City continue to work with the County on solutions for the 235th Ave NW/Rum River BLVD NW intersection.

Fairbanks, made a motion to recommend the Planned Unit Development be approved by the Council. Second by Gardner. Motion passed 4-2-1

b. Interim Use Permit – Laketown Homes, LLC – Not Required

- Robinson, explained that Interim Use permit for grading is not required as this can be handled through the PUD and development agreement process.

c. Variance – TH Construction of Anoka Inc.

- Robinson reviewed the packet. The development was approved in the early 2000s and the purposed structures would complete the twin home portion in the development. In 2005, the twin home configuration was changed to match the market. The layout of the existing lots make it difficult for the 2005 twin home designs to meet setback requirements there for a variance request was submitted as follows:
 1. A 1.1 foot side yard setback variance from the required 10 foot side yard setback for Lot 25. The requested variance would place the adjacent homes 19.0 feet apart as opposed to 20.0 feet apart.
 2. A 0.7 foot side yard setback variance from the required 10 foot side yard setback for Lot 30. The requested variance would place the two homes 19.4 feet apart as opposed to 20.0 feet apart.
 3. A 6.0 foot side yard setback variance from the required 10 foot side yard setback for Lot 33. The requested variance would place the two homes 10.1 feet apart as opposed to 20.0 feet apart.
 4. A 3.9 foot side yard setback variance from the required 10 foot side yard setback for Lot 34. The requested variance would place the two homes 10.1 feet apart as opposed to 20.0 feet apart.

The proposed layout of the development is found to be consistent with the Comprehensive Plan.

- Public Hearing Opened 8:36 p.m.
 - Chris Magnus, 2814 236th Ct, asked why the setback issues were not addressed when the PUD was approved.
 - Robinson, explained that the foot print has been deemed more marketable and it does not fit on the lots as they were platted out originally with the PUD.
 - Magnus, asked what the impact would be to his property if the variances were approved.
 - Robinson, the side yard setback variances being requested would not have any impact on front or rear yard setbacks. Thus, not directly impacting neighboring properties behind the development.
 - Public Hearing Closed 8:39 p.m
- Gardner, asked if the Commission should approve them all or reject them all.
 - Robinson, it is staff's recommendation to approve them all and not each of them individually. The Commission can address each variance separately, but it is believed that these variances come as a package.
- Gardner, explained that the variance requests of one or two feet is not much of an issue. However, the variances for Lots 33 and 34 is different and 10 feet is very tight.
 - Tony Hennen, TH Construction of Anoka Inc., explained the design layout with garages on the outside of the twin homes. 10 feet is the allowable separation between garages as guided by current City codes.
- Zutz, asked for clarification on some of the verbiage in the Variance report.
 - Robinson, explained that the original PUD required 20 foot setbacks as the old design of the twin homes had the garages in the middle rather than the outside.

- Zutz, explained that the layout of the neighborhood as it sits today is attractive and the setbacks are good. However, this proposed twin homes development seem to be very tight and the separation between the units will be noticeable.

Fairbanks, made a motion to recommend the Variances be approved by the Council. Second by Berndt. Motion passed 4-2-1

7. **Planning Commission Discussion** – Assistant Community Development Director Creelman provided the Commissioners with information on trainings for Land use and zoning provided by League of Minnesota Cities and GTS.
8. **Adjournment:** Motion by Berndt second by Gardner to adjourn. Motion carried 6-0. Meeting adjourned at 8:55 pm.

DATE APPROVED: