

Approved
3/7/24



REGULAR MEETING
PLANNING COMMISSION
January 4, 2024

Present: Chairperson Dresel, Commissioners Hawkinson, Meyer, and Peterfeso

Absent: Trivette, Weidell-LaBathe and Carlson

Staff: Administrator Pechman and Associate Planner Nelson

1a. Roll Call

1b. Pledge of Allegiance

Chairperson Dresel proceeded to open the meeting at 6:30 p.m. The Pledge of Allegiance was recited.

AGENDA

Chairperson Dresel asked if there were any changes or additions to the agenda.

Commissioner Peterfeso made the motion to approve the agenda, Commissioner Meyer seconded, all in favor, all ayes, motion carried.

CONSENT AGENDA

3a. Minutes of November 2, 2023

Action

Chairperson Dresel asked the commission if there were any changes or corrections on the minutes.

Commissioner Meyer made the motion to approve the minutes for November 2, 2023, Commissioner Hawkinson seconded, all in favor, all ayes, motion carried.

COUNCIL LIAISON REPORT

Council Member Meyer stated the Council had met on Tuesday, December 12. The Council adopted the final tax levy for the budget for the year, a tobacco license application was denied, and they passed a solar farm interim use permit application that was a continuance from a previous meeting.

COMMUNICATION

None.

PUBLIC HEARINGS: 6:35 P.M.

6a. Lake Martha Overlook – Final Plat

Action

Associate Planner Nelson stated Don Skelly of High Pointe Land LLC has submitted a Final Plat to develop 25 detached villa townhomes called Lake Martha Overlook. The property is currently being used for agricultural purposes located at PID #13.00075.03. It abuts Lake Martha, a Recreational Development Lake.

This went to Planning Commission and City Council in December of 2022. It was sent back to Planning Commission Feb 2, 2023, City Council approved the preliminary plat on February 28, 2023.

The property is zoned Medium Density Residential, and Park Space along Lake Martha. Comprehensive Plan shows future development as high density residential. The proposal is to build detached villas/single family homes.

The development consists of approximately 6 acres and is proposed to be subdivided into 25 lots. The property is on Lake Martha and will be reviewed under Shoreland Planned Unit Development (PUD) ordinance. Density and open space are reviewed differently under each ordinance.

Main changes from when the plat was last reviewed by Planning Commission include:

The storm water pond has shifted from the north west corner of the property to the neighboring property to the north. There are easements surrounding the pond, the city attorney has reviewed the easement documents and approved of them.

One unit moved from tier one to tier two.

Previously parking has been restricted to one side of the road but because it's a dead end and should have slow moving traffic the developer has requested parking be opened to both sides of the road. Public Works Superintendent Lind reviewed the proposal and approved.

Although some impervious surface areas for specific lots have changed the overall impervious is still calculated to be around 36% for the overall plat.

Building setbacks from the ordinary high water mark (OHW) required to get the increased density bonus is 93.75 feet. Lots on the proposed plat have not moved or changed location. The distances from the OHW range from 71 feet to 102 feet from the OHW. Because they have not moved staff is comfortable with the proposal.

City staff did not receive comment from the DNR. Comment was received from Xcel Energy Natural Gas, they stated they had a mains to the north and south that could support the development.

Public comment was received via voicemail from Dennis Jewelson at 29337 Kendwood Way. They are concerned with increased traffic and increased noise from traffic.

City staff is recommending approval of the final plat with conditions. One condition to be added is easements around the storm water ponds, reviewed and approved by the city attorney. He has reviewed and approved however, it should be a condition of approval.

Commissioner Peterfeso made the motion to open the public hearing, Commissioner Meyer seconded, all in favor, all ayes, motion carried.

Kevin Peterson of 9757 292nd Street is concerned about the size of the lots. 42 foot lots seem like a trailer park not a housing development. In the past there were lots of requests for variances and conditional use permits for properties that couldn't support the building that was being proposed due to the small size. He is concerned about future problems due to lot size. He supports development and future growth in the city. He thinks larger lots should be required.

Don Skelly stated he is the applicant. He stated the 42 foot lots do not have lake shore. There is a shared dock. He would answer any questions at this time.

Commissioner Meyer asked about the cul-de-sac at the end if it could be reformed for snow storage.

Don Skelly stated he received comment from the city engineer today regarding this. It may need to be reworked, or money may need to be built into the HOA budget for snow removal. He is working on a solution.

Commissioner Meyer made the motion to close the public hearing, Commissioner Hawkinson seconded, all in favor, all ayes, motion carried.

Commissioner Peterfeso made the comment that he liked that the developer cut the number of variances requested and has worked with city staff.

Chairperson Dressel asked if the road would be public.

Administrator Pechman stated the road would be public, the HOA would be for things like maintenance of yards.

Chairperson Dressel stated he thinks allowing parking on both sides makes sense. If cars are parked on both sides though it will be like a one lane road.

Commissioner Meyer asked if a fire truck could fit through in the winter.

Chairperson Dressel stated he believed they could. Plowing would be difficult if cars are parked on both sides of the road.

Commissioner Peterfeso stated there shouldn't be parking on the street in the winter per city ordinance.

Don Skelly stated parking will be severely restricted in the HOA documents.

Chairperson Dressel stated the cul-de-sac goes right up to the neighboring property.

Administrator Pechman explained the developer is working with the city engineer to re-work that.

Chairperson Dressel stated he is concerned with snow storage.

Commissioner Meyer asked if the proposed plat to the west will still be dumping storm water into the pond proposed with this plat.

Don Skelly stated it does. The city engineer has advised him that the ponding for the proposed development the west, Chisago Lakes Car Condos, and the Lake Martha Overlook ponding must be done altogether. He intends to abide by that.

Commissioner Meyer asked if the city or HOA is responsible for maintenance of the ponds.

Administrator Pechman stated it has been done both ways. The city has the easement. In the development agreement the homeowners can request the city come in and assess the property owners to clean the pond.

Commissioner Hawkinson asked about the small size of the dock slips.

Don Skelly said they are designed to only accommodate small watercraft only. The lake is not large enough for a traditional pontoon style boat.

Commissioner Hawkinson asked about prices.

Don Skelly said high 400's – high 600's.

Commissioner Meyer asked about landscape screening.

Don Skelly said it would be a mix of dense vegetation and get it approved by city staff.

Chairperson Dressel asked if Don Skelly had read all city staff conditions.

Don Skelly stated he had.

Planner Nelson stated a condition should be added that easements be placed around the storm water ponds, reviewed and approved by the city attorney.

Commissioner Meyer made the motion to approve with the Lake Martha Overlook final plat with the conditions listed. Additional conditions: Any disagreement regarding the plat the city gets the final say. Storm water comments from engineer to be addressed. Commissioner Peterfeso seconded, all in favor, all ayes, motion carried.

Administrator Pechman stated this will go to the city council on January 23, 2024.

NEW BUSINESS

None.

UNFINISHED BUSINESS

ADJOURN

Commissioner Meyer made the motion to adjourn, Commissioner Hawkinson, all in favor, all ayes, motion carried.

*Respectively Submitted by:
Leah Nelson, Associate Planner*