

**CITY OF MONTROSE
200 CENTER AVENUE SOUTH
MONTROSE, MINNESOTA 55363
PLANNING & ZONING COMMISSION
MINUTES
January 17, 2007**

Pursuant to call and notice, the Montrose Planning and Zoning Commission met in regular session on Wednesday, January 17, 2007.

Those present were Commissioners, Tim Hackenmiller, Roy Henry, Alfred Mohring, Cory DeWitte, Paul Turner and Keith Roseen. Bob Kirmis, city planner, Brad DeWolf, city engineer, Sharon Knodel, liaison, and Barb Swanson, city administrator were also present. Absent: Chuck Smallwood

Agenda

Motion by DeWitte, seconded by Henry, to approve the agenda as presented. Carried 6-0.

Approval of Minutes

Motion by Morhing, seconded by Turner, to approve the December 20, 2006 minutes as written. Carried 6-0

Architectural Design Standards

Joanne Foust, economic development coordinator, introduced Kathy Anderson from Architectural Consortium, LTD.

Anderson gave a presentation to the Planning & Zoning commission and City Council on Architectural design standards.

A brief question and answer session was held.

The commission thanked Kathy for her time and presentation.

Public Hearing ~ Creekside Hollow

The public hearing opened at 7:55 PM

Kirmis, city planner reviewed the planners report dated January 2, 2007.

Kirmis stated that Herzog Development LLC has requested approval of an 82 lot single-family residential subdivision entitled "Creekside Hollow". The subdivision overlays a 40.2 acre site located north of 5th Street North between County Road 12 (Buffalo Avenue) and Clementa Avenue. The site is bordered on the north by the Forest Creek subdivision, on the south by the Parkview subdivision and on the east by the Northridge subdivision.

To accommodate the proposal, the following approvals are necessary:

- Rezoning of the site from UR, Urban Reserve to R-1, Single Family Residential
- Preliminary Plat
- Variances (from minimum lot area and depth requirements) regarding lot 6, block 6 and lot 5 of block 6.

The variances were discussed and the following was the applicants request vs. the ordinance requirement.

	Lot Area		Lot Depth	
	Required	Proposed	Required	Proposed
Lot 5, Block 6	10,000 s.f.	10,006 s.f.	120 feet	105 feet
Lot 6, Block 6	10,000 s.f.	6,895 s.f.	120 feet	87 feet

The tree preservation plan was discussed. Kirmis informed that commission that According to information provided by the applicant, 53 percent of existing trees (in inches) are to be preserved in mass graded areas while 72 percent of trees (in inches) are to be preserved in custom graded areas.

Kirmis stated that based on the preceding review, the recommendations are as followed:

- A. Approval of the rezoning of the subject property from UR, Urban Reserve to R-1, Single Family Residential.
- B. Approval of the Creekside Hollow Preliminary Plat subject to the following conditions:
 1. The preliminary plat should reflect city action on the requested lot depth and area variances.
 2. The City Engineer provide comment and recommendation in regard to the acceptability of the proposed outlots.
 3. The City Engineer provide comment and recommendation in regard to street, drainage and utility issues.
 4. Either the applicant construct the pedestrian bridge identified in the Outlot A park area or that the park area north of Lots 1 and 2, Block 2 (east or the creek) be eliminated.
 5. The City Engineer provide comment and recommendation in regard to wetland issues.
 6. The applicant enter into a development agreement with the City and post all the necessary securities required by it.

7. Comments of other City Staff.
- C. Approval of the requested lot depth variances based on a finding that the request is a result of a unique physical condition and subject to the following condition:
1. The applicant submit home plan examples, which demonstrate the buildability of the lots in question.
 2. Comments of other City Staff.
- D. Denial of the requested lot area variance based on a finding that the hardship has been created by persons having an interest in the subject property and is a self-created hardship.

DeWolf, city engineer, reviewed the memorandum dated January 4, 2007, which included the following:

- 1) The projected additional traffic that will be generated as a result of the subdivision will degrade the existing level of service outside the subdivision as it relates to roads and highways, specifically Trunk Highway 12 and the intersections along Trunk Highway 12. The projected additional traffic will exceed the structural capacity and the design parameters of Trunk Highway 12 and the intersections along Trunk Highway 12.

The Developer will be responsible to participate in the cost of improvements to Trunk Highway 12 and the intersections along Trunk Highway 12. In calculating cost it has been assumed that 70 percent of the Trunk Highway 12 improvements will be paid for by the State of Minnesota and 30 percent will be paid for by the City of Montrose. The City cost will be distributed over the entire future development area. The current estimate of cost per acre for the Trunk Highway 12 upgrades is \$1500/per acre.

- 2) The east-west collector street width shall be a minimum 40 feet from face of curb to face of curb. All other streets shall be 32 feet from face of curb to face of curb.
- 3) All horizontal curves on 7th Street shall not have a radius less than 300 feet.
- 4) Detailed comments concerning the submitted Stormwater Management Plan have been forwarded to the Developer. The Developer shall revise the Stormwater Management Plan per the comments. The revised plan shall be approved by the City Engineer prior to Final Plat approval.
- 5) The Developer shall provide pond-sizing calculations showing that the MPCA pond sizing criteria are met. The Developer shall also provide storm sewer sizing calculations for review and approval by the City Engineer prior to Final Plat approval.

- 6) A minimum 10-foot drainage and utility easement shall be placed on each side of the centerline of all utilities going through green areas. The easement between Lots 6 & 7 Block 10 shall be revised to meet this requirement.
- 7) All wetlands and ponds shall be placed entirely in outlots dedicated to the City of Montrose. Currently, there are several places where the wetlands infringe upon lots. Also, pond P2 shall be contained within an outlet up to the 100-year HWL elevation.
- 8) The trail location is located within the wetland buffer along the majority of the trail. The Developer shall move the trail outside the wetland buffer.
- 9) The Developer shall provide for access roads to all ponds by an outlet dedicated to the City of Montrose. Pond P3 does not have adequate upland access.
- 10) All lots within the Shoreland Overlay District shall contain less than a 25% impervious area. The Developer shall provide documentation that this requirement can be met and is practical with a typical house plan.
- 11) A Wetland Delineation Plan has been approved by the Technical Evaluation Panel. The Developer is proposing to fill 9,411 s.f. of existing wetlands and replace the impacts through purchase of wetland credits from an offsite wetland bank. The Replacement Plan shall be approved by the Technical Evaluation Panel prior to Final Plat approval.
- 12) We recommend that the Park Advisory Board review the location of the trail south of 7th Street. The current proposed trail location ends at a wetland located south and west of the proposed plat. Future trail connections at this location will be difficult. We recommend that the trail be placed along 7th Street from the creek to the west plat boundary.
- 13) The Developer shall submit a Signage Plan for the development. The Signage Plan shall be approved by the City Engineer prior to construction.
- 14) Complete civil engineering plans shall be submitted and approved by the City Engineer prior to Final Plat approval.
- 15) All improvements shall be constructed in accordance with the City of Montrose Development Standards.

DeWolf recommended approval of the Preliminary Plat contingent upon the above comments and comments as submitted by other City staff.

Scott Dahlke, developer's engineer, stated that he did not see any major issues with the recommendations however; parkland would need to be discussed. The developer stated that they have met all ordinance requirements for park dedications. However, the developer stated that there is an issue regarding wetland boundaries according to the ordinance. Dahlke stated this issue was

noticed late and thought it could be addressed with easements to protect the wetlands.

- Lot 1, Block 4
- Lot 9, Block 3
- Lot 12, Block 5

The Montrose Park and Recreation Commission comments were as followed: The Park and Recreation Commission reviewed the preliminary plat for the Herzog property and have the following recommendations:

1. Install the paved trail through the development.
2. Construct the bridge over the creek so Park Land A (Outlot A) is accessible.
3. Outlot B is designated Park Land
 - a. How/Where is it accessible especially on the west side.
 - b. Seems to be mostly wetland-where is the upland
 - c. Is it useable park land
4. Keep Outlot A as a natural park for now.

A discussion was held regarding the lots with wetland encroachments and that lots that a variance is being requested.

Leuer, developer of the project suggested that the variance could be approved for all lots and in turn, the developer would construct the trail and the bridge.

Kirmis stated that a Planned Unit Development would be more appropriate with the offer being made by the developer.

Knodel stated that on behalf of the Park and Recreation Committee she felt they would be pleased with this offer.

DeWolf stated that is possible to work with the developer implementing restrictive covenants and proper signage on the wetland lots in question.

DeWitte questioned the square footage of the houses proposed for the lots that the developer is requesting variances.

Dahlke submitted concept house plans for the specific lots.

Further discussion followed.

The Montrose Fire Department reviewed the preliminary plat for the Creekside Hollow development and had no comments.

Les Thoreson - 210 Garfield Avenue N.

Thoreson requested the definition of a wetland. Thoreson also stated his concerns with drainage through Center Avenue and the drainage plans for the proposed development.

DeWolf provided Thoreson with the definition, stating 60% water and 40% land. DeWolf explained the process.

A discussion was held regarding proper drainage of the proposed development.

Ellen Sones - 5324 Clementa Avenue SW

Sones addressed the commission regarding her concerns with the proposed development. Sones stated that the loss of trees in the development would be more than proposed due to root zones. Overtime the trees eventually die a slow death. Sones provided the commission with an alternative type of Cluster development for the proposed property. Sones spoke about the green way corridor, woodlands disappearing and tax incentives for a conservation development. Sones gave a brief presentation of the proposal.

A discussion followed regarding cluster developments. Sones requested that the commission deny the proposed preliminary plat.

Hackenmiller addressed Sones' recommendation stating that the commission has to follow proper procedure when reviewing the preliminary plat application.

The Public Hearing was closed at 8:52PM

Turner suggested that the plat be tabled so the developer could re-submit an application reflecting the changes.

Hackenmiller agreed.

Further discussion regarding the proper procedure to be followed.

Kirmis informed the commission that they have an obligation to act on the application before them.

A recess was called at 8:55 PM

The meeting reconvened at 9:00PM.

Dahlke stated that they would like the commission to act on the application before them with the conditions listed by staff with the exception of the lot area variance recommendation for lot 6, block 6.

Leuer stated that with approval it was more than likely they would resubmit the application requesting a PUD.

Motion by Turner, seconded by Hackenmiller, to approve the rezoning of the subject property from UR, Urban Reserve to R-1, Single Family Residential. Carried 6-0.

Motion by Hackenmiller, seconded by Turner, to approve the preliminary plat for Creekside Hollow subject to the conditions listed by city staff, city planner and city engineer. Carried 6-0.

Motion by Roseen, seconded by Hackenmiller, to approve the requested lot depth variances for lot 5 and 6 of block 6, based on a finding that the request is a result of a unique physical condition and subject to the following condition:
Carried 6-0.

1. The applicant submit home plan examples, which demonstrate the buildability of the lots in question.
2. Comments of other City Staff.

Motion by Turner, seconded by Hackenmiller, to deny the requested lot area variance of lot 6, block 6 based on the finding that the hardship has been created by persons having an interest in the subject property and is a self-created hardship. Carried 6-0.

The commission thanked the developer and the public for their time.

Swanson stated that this item will be on the February 12, 2007 council agenda.

Election of Officers

Motion by Roseen, seconded by Morhing to retain the current officers for the 2007 calendar year. Carried 6-0.

Miscellaneous

Swanson stated that February 21, 2007 a joint workshop with the city council will be held to discuss elected and appointed officials duties and legal procedures.

Adjournment

Motion by Roseen, seconded by Hackenmiller, to adjourn at 9:25 PM.

Author: Kristine M. Richter
City of Montrose

Barbara C. Thwing-Swanson
Administrator/Clerk/Treasurer