

Pursuant to due call and notice thereof, a Planning Commission meeting was held on Tuesday, January 16, 2007 at 6:30 p.m.

PRESENT: Katie Reiling, Doug Millaway, Rick Fischbach, Bob Pogatschnik

ABSENT: None

The meeting was called to order at 6:29 p.m.

MINUTES OF DECEMBER 19, 2006

Motion was made by Katie Reiling to approve the minutes, second by Rick Fischbach, all in favor and carried.

The public hearing was opened at 6:30 p.m. for the Preliminary Plat on the Avon Estates Development.

An informal sign-in sheet was sent around for all parties that attended the public hearing to sign. **ATTACHMENT A**

Avon Estates-Preliminary Plat

Sam Deleo started the meeting by explaining what the development consisted of. It is generally a single-family housing development. There will be a patio home development.

On the South side of the development the intent is to sell these parcels to other developers for town homes, apartments, etc. Shannon did recommended zoning this area as a PUD. The row housing and town homes would be PUD. The remaining lots in this phase would be R1.

Construction phases—Because there is a lot of interest in the lots to the south of the development they would like to get this section going ASAP--free advertising right off the intersection. The second phase would be row housing development. The developer would like to grade the park in the first phase to make it usable right away. They would like to leave as much agricultural land untouched to avoid thistles and other weeds to grow. Water tower would be constructed in phase 3 or 4. There will be street lighting in typical rows. It will be up to the city and city engineer to pick out lighting style.

Environmental—submitted a full EAW along with 5 CD's. Submitted application to archeologist, Core of Engineers, etc. and nothing has come back-- so as far as their database goes they are clean. The storm water ponds have been reviewed and are adequate to collect pollutants. These will also have to feed the wetlands so they do not dry up--volume control or rate control. We need to make sure they are large enough for settlement of pollutants but outlets are small enough not to dry up the wetlands. A total of 6.8 acres of wetlands will be impacted. One of the hayfields in the development is considered a wetland. Another area is the natural depression area in southeast corner of the development. They are looking at a few areas that would be suitable to mitigate as

wetland areas. The EAW is requesting comments back by the 19th. There have been no red flags so far.

Parkland Dedication—based on calculations in narrative they are off a little. There is a strip of property along the southern half that is owned by Chuck Griffith. It sounds like there is a purchase agreement (mutually agreed upon) in the works. This will add 4 acres to the developable area. Park is 3.4 acres. They are willing to make the area in the middle of the affordable housing section a park. This area is less than 1 acre. They need to figure the total area of the trail, parks and appraised value of wetland (open space). If there is not enough parkland dedication owed to the city the developer will right us a check. If the amount is in excess of what is owed they would like a credit on future development (open space) in Avon Estates. The trail is about 1 acre. The parks board is happy with what Sam Deleo has proposed.

Split entries homes/walk-out homes--a bunch of lots are walk out lots.

Utilities—Sam Deleo discussed the utility map that he brought with. There will need to be alignment changes. They will need to stub out to service Yurczyk's property. This was discussed with Randy Jenniges. This will be done after water main and water tower is constructed. Probably have to do grading revisions. They don't anticipate a shortage of dirt. Any excess dirt will probably be put along I-94 for noise reduction. There will probably be a shortage of good organic topsoil. Trunk sewer won't be put in until water tower is constructed which will be around 2010, the city won't need it until then. Their biggest concern is water. They have met with MNDOT on a few occasions regarding a trunk water main across the rest area and along the shoulder of I-94. Their initial reaction was very good because they have a lot of water quality problems at the rest area. They would like the sanitary sewer at the rest area gone.

Affordable housing— The middle of the development will be for affordable housing, single row housing. They are looking at getting funding for the first-time home-buyers for this section of the development. Housing finance requires that certain criteria needs to be met for the development in order for prospective buyers to be able to get funding for this. They need TIF or some kind of help from the City in order for the developer to be eligible for this financing. Everyone has to kick in to make it work for this funding. Jason from Central MN Housing Partnership would be willing to come to talk to us if we would like. Some of the other lots may fit Tri-Caps needs or other ways to make affordable housing available. They are willing to work with us on making this affordable. These affordable houses offer two story, unfinished basements, two bedrooms suited for first time home-buyer. A gentleman in the audience commented on if these smaller lots would be like trailer houses. Sam Deleo explained these are very nice homes just with a smaller square footage so they are affordable. Sam Deleo would be willing to redo the road in the affordable housing section. John Grutsch brought up the idea of changing the road to a one-way (turn around) road in this affordable housing section. Sam Deleo will look into moving these roads around. The higher density area (low income) garages are in back of home. No access on street portion. This is not

uncommon. Most of the time these streets are considered a private drive. If it is private the public works department would not maintain these roads. Sam said if it is a private street they will not get any grants. Any type of responsibility, as far as associations, for neighborhoods they are not favorable of. Sam Deleo's plan is to dedicate as a public right of way with a public park in middle. If it is a public road it needs to be built to public standards--large enough for a plow truck and fire truck. City staff needs to review this to make sure it is constructed to meet city standards. Mark Talberg stated we could make the road wider and take it out of park area. Lots 14 & 15 will have double stall garages. Min. garage size 24 X 24--Min. driveway of 20' long--To right of way 7-8' edge of bituminous--27' edge of bituminous to garage. Rick Fischbach is concerned that there will be variances in this low-income area.

Associations--Town homes will be a totally separate association. No association should be needed for the rest of the neighborhoods. Block 14 and 15 might be set up as an association. Randy states the city can put a condition in that we review all covenants to address concerns with associations.

Senior Housing/Church--Mark Talberg stated there could possibly be a senior housing/church going into this development. Mark Talberg would be happy to welcome Good Shepherd to the development. Good Shepherd said this would be a way for them to donate an area for the church. This would be a way that the developer could do it and gain tax benefits. The City will weigh all options and decide what would make the most sense. This would go in the South section of the development (R-3) The State is looking at increasing assisted living facilities and decreasing nursing homes.

Soil--Sam Deleo has done no soil borings. One of the residents to the East of the developments is concerned about dewatering. Randy Jenniges explained the trunk/sewer to this site. There will be some dewatering required. The contractors are to get a permit if certain amount of dewatering is required. Some times they do dry up if they have to dewater. No deep sewer along there. We will monitor as we go. Soil borings should also help determine this.

Wetland Mitigation--Katie Reiling asked if the wetland mitigation is still in progress. Environmental services only wants it done once and done right. Environmental Services want the preliminary plat approved first by the City of Avon before they approve anything. Sam Deleo is at their mercy to get approval before they submit a plan. Mitigating basically Type 1 and Type 2--least valuable of the wetlands. Wetland mitigation plan would be to waive their right so they are not able to fill in wetland on their property

Zoning/Misc.—The PC asked what the lot sizes are. Sam Deleo said nothing smaller than 10,500 (R-1). Some are 12-14,000 sq. ft. Row house (affordable housing) is 6,000 sq. ft. The lots on the corners are a little larger just to give these property owners a little more room. Alleys are a little larger so the traffic is not so close to the houses. Patio home min. home 6,000 sq. ft., 1,000 ft more than typically see them at. Two-family min. 8,000 sq. ft. There are only 5 lots that do not meet R-1 requirements. Three of them

have width that are too narrow (yellow) Orange under 10,500. Sam Deleo said with minor adjustments he was able to make them all comply. The tag board that he brought also reflects these changes. Randy Jenniges explained zoning 5 lots needed some tweaks-Sam did fix these to meet city requirements.

Storm Sewer--does Sam Deleo allow for storm water ponds, preliminary calculation on the storm sewer? S.E.H. findings does meet NURP and Stearns County standards. One or two of the smaller ponds can be taken out. The sanitary sewer needs to be worked out in greater detail with final design. S.E.H. did not take into consideration to take out lift station-this may be something we will be able to do. State would like to get out of responsibility of maintaining sanitary sewer. More work for maintenance dept. City would be responsible for construction costs. The state said they would hook up to water main they understand there would be some costs associated with this. Randy Jenniges will check if the lift station in development will be able to handle the rest area. Ray Schmidt said they were talking about this from the beginning. We would be taking on a big responsibility (the city). The PC questioned whether or not it would even make sense to do this? Mark Talberg said if there was an easy way to accommodate the lift station they would work with them. Possibly build the lift station to handle additional flow and to get MN DOT to participate with water flow.

Streets--Randy Jenniges went over his handout with the PC. ATTACHMENT B Yellow is what we have in Water Edge 32' back to back. They would treat south intersection a. Curve needs to meet horizontal curve requirement. Make it a nice smooth curve with 150' radius curve so people can use it as a race track or put stop condition and use it as an intersection. Randy would recommend stop condition. The lots will create a 4-legged intersection. Put stop conditions at intersection would be one approach to slow traffic going to the west. Obertail will hook to County Road. Make right of way large enough to support the large traffic flow. Randy will discuss this with council. Cul-de-sacs will be touched on in the final design. Sam Deleo does not know if Stearns County has even looked at the plan. The plan is to have a west bound bypass lane built to MN DOTS standards. Also, the same would be for the traffic from the East. The developer will have a raised median at entrance. MN DOT has to approve the plat. Sam Deleo has verbal approval, but not staff approval. The road sections that are in the preliminary plat either meet or exceed the county requirements. There will be sidewalks on at least one side of the street through the entire development. If the need arises for sidewalk on both sides they will work this out with the city. The trail will be fed by all the sidewalks. The new city ordinance requires 6 foot sidewalks. The developer is requesting 5 ft. sidewalks so they can use the extra space for extending the sidewalk to the Lake Wobegon Trail. Randy Jenniges is okay with 5' sidewalks. The developer would like all trails in Avon Estates to hook up to the Lake Wobegon Trail. This decision would be up to the County Engineer.

Grading—Listed 2 items quite a bluff on south side—need a retaining wall along area (near 4 acres) the block 10 lots 1-10 are walkouts. Grade comes down into wetlands. Put a 4' retaining wall further down to allow 30' of usable space behind walkout before it drops off. Who will put the retaining wall in the home owner or developer? The property owner will maintain their own wall if it is on their lots. Sidewalks maintained by homeowners. Trails maintained by homeowners association.

Park dedication—10 acres-how do we determine land value of property. Need an appraisal of property to determine value of property. Mark Talberg said an independent appraisal is being done right now.

Outlots---Developer continued to own them or city owns them. Not necessarily done at preliminary plat stage. Council will need to make a decision regarding the outlots. We need to check into how taxes are paid on outlots--if the city does not own them?

Shoreland Impact Zone—This development does not fall within the 1,000 feet . The pond is not needed in the area by the tower site. Taking out the pond would make up for the water tower (area) that is there.

There were no further questions from the public. The PC went over the findings and answered all questions. The PC reviewed Ray's comments regarding his handout.

Copies of PC minutes for JPB on 24th, Jodi can bring them along.

The following is a list of items that the Planning Commission feels the City Council needs to approve or take action on:

- 1) Park dedication/wetland dedication.
- 2) Outlots.
- 3) Development Agreement/Covenenants.
 - a. Bituminous laid before too many homes are built.

Motion was made by Bob to close the public hearing at 8:50 a.m., second by Katie Reiling, all in favor and carried.

Motion by Bob Pogatschnik to recommend to the city council to approve the preliminary plat with the contingencies listed below:

Zoning:

- 1) *Blocks, 2, 3, 4, 5, 6, 7, 10, 11, 12 and 13 be zoned R-1.*
- 2) *Blocks 1, 15 and 16 be zoned PUD.*
- 3) *Blocks 8 and 9 be zoned R-3 with a PUD overlay.*

Storm Sewer:

- 1) *The overall storm water system to meet City and State standards for surface water treatment and water quality.*

Streets:

- 1) *Street sections contingent upon soil testing. (soil borings)*
- 2) *B618 curb and gutter required on higher volume roadways.*
- 3) *Median shall have a minimum of 2-feet of concrete behind curb.*
- 4) *Entrance sign location needs to be approved by City staff prior to installation.*
- 5) *Treat intersection of Winden Way and Pretaria Avenue as an intersection with a stop condition.*
- 6) *Temporary cul-de-sacs will be required where phasing creates a dead end street.*
- 7) *Dedicated left turn lane on Obertail Street and Winden Way.*

Grading:

- 1) *Minimum of 30-feet behind the house graded at a 5% grade or less.*
- 2) *Parks must have grades of 2% or less.*

Trail and Sidewalks:

- 1) *Trail section contingent upon soil testing.*
- 2) *Trail connection to the Wobegon Trail.*
- 3) *Use of 5-foot sidewalks to be consistent with recent development.*
- 4) *Sidewalk maintenance by abutting property owner.*

Park Dedication:

- 1) *City staff/parks board/and commission approval.*
- 2) *Parking lot to the park area.*
- 3) *Property appraisal.*

Other, Miscellaneous:

- 1) *City staff/fire department approval on street widths and section. (public right of way).*
- 2) *Final engineering plans and specifications.*
- 3) *Drainage and utility easements will need to be provided to allow for storm water pond maintenance.*
- 4) *Drainage and utility easement allowing a water main loop with the southern part of the existing City system.*
- 5) *The City of its representatives shall approve all covenants..*
- 6) *A negative declaration of an EAW.*
- 7) *Stearns County-wetland mitigation approval and street access approval.*
- 8) *MNDOT approval.*
- 9) *Property purchase and annexation—Chuck Griffith's property*
- 10) *Council approval regarding the outlots-city or developer?*

second by Katie Reiling, all in favor and carried.

Doug Millaway to adjourn the meeting at 9 a.m.

Respectfully submitted,
Amy Pogatchnik
Zoning Administrator