CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
October 17, 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, Greg Zutz, Julie Morin, Liz Fairbanks and William Murray. Absent: Todd Gardner.

   Others in attendance: Mike Creelman- Community Development Assistant, Beth Richmond- HKGi City Planner

3. **Adopt Agenda:** One correction made, spelling of LakeTown Homes on item 6c. Motion carried 6-0.

4. **Approve Minutes:** Motion by Fairbanks, second by Berndt to approve the September 19, 2018 minutes. Motion carried 6-0.

5. **Public Comment:** None

6. **Public Hearing:**

   a. Rezoning – LakeTown Homes, LLC.
   b. CUP – LakeTown Homes, LLC
   c. Easement Vacation – LakeTown Homes, LLC.

   - Ms. Richmond introduced the second phase of the Rivers Edge project. Presentation included the details of the subdivision, breakdown of approvals as identified in a, b and c. Described the history and makeup of the project, the zoning and building plan as identified in the Commission packet.
   - Clarification that the water main easement was not part of or included within the easement vacation.
   - Applicant requesting a deviation for the size yard setback, requesting 7.5 feet to continue what was allowed in the first addition. Proposed lots meet all other required setback requirements in both R2 and River District.
   - Will continue construction access for second phase
   - CUP for public roads required by City Code and State Statute due to the River district.
   - One comment received, Dwight Wirz – owner of parcel of property adjacent to River Edge Development. Wants to ensure in future phases access or sale is part of the discussion on this property.
   - Landscaping Plan is still not received, staff recommends making Landscaping plan a condition of the approval.
   - REZONING specification are required by code, require a 4-5th vote by Council and a condition of the approval of the final plat. Conditions were the same for the first phase.
   - CUP required for the construction of roads in a river district per MN Rules and City Code.
   - EASEMENT VACATION, as reviewed by Engineering and approved
   - Staff recommends approval of all three requests identified in 6 a, b and c. Staff requests an approval of items separately.

   PH Open: 7:22
   - Juli Murillo at 23539 Ambassador Blvd, referencing houses that have been built in Rum River Bluffs 2nd. Discussed setbacks. Has reached out the county, city staff and DNR. Addressed changes in environment as she feels impacted by it. Talked about parties, river use, fishing, land use and back yard visibility. Concerns about clear-cut on other side of the river. Spoke to privacy concerns. All concerns related to Rum River Bluffs 2nd phase feels with those concerns Rivers Edge development should be restricted.

Creelman clarified that there are several state rules that apply to the river. If it falls to city code, the city will be the ruling jurisdiction. City adopts DNR rules and enforcement falls under the city.

Steinke requested staff to review the scenic river rules. Richmond clarified that the landscape plan is required, that there are regulations regarding vegetative cutting and that cutting on plats larger than 4" in diameter is prohibited. Those are items that will be required and outlined in the landscape plan and be required to meet the river district requirements.

Berndt requested that Staff visit the property to review the situation.

- Dwight Wirz, property owner. Is fine with what is in the plan as it relates to Rivers Edge. Question in regards to properties further north that would also require River District requirements. Concerns with the development and business and the overall river preservation.

Commission requested more information about his land, wetlands within and locations. Richmond clarified which district this owners parcels fell into.

PH Close: 7:50

Commission Discussion:

- Morin – question on river lots. Steinke clarified the concerns are on lots to the south. How is this relevant to the development being discussed? Not the same builder. Does anyone have cease and desist authority? Creelman clarified Code Enforcement process.
- Morin – questions on the park. Was understanding that there were proposed park, trails and natural concept. Does not want to see park issue lost, feels it is critical to this development.
- Steinke does not accept part B be used as park dedication. Not accessible for access and cannot run a trail through it. Richmond clarified the connection and disconnection of the existing trails.
- Zutz, in regards to County Park and lot by school athletic fields, there is an asphalt trail, it is true that it does not connect? City is saying they don't want to connect? Creelman discussed furthering the trail north and willing to discuss the trail continuance with Anoka County. Zutz strongly suggests the city find access to connect the residents to the park. City has made it non accessible to the residents.
- Berndt, back in march there was discussion of the traffic issues. Where does that stand? Richmond confirmed that traffic is unchanged and that the plan will be future roads to the north. One access will remain with the temporary construction access.
- Zutz, can staff provide information on playgrounds in new phase and future playgrounds on that side of the river. Richmond described the proposed active park in Rivers Edge. Nothing in Rum River Bluffs. Zutz expressed concern of the lack of parks and requirements to walk along roads to get to the parks.
- Zutz, have police and fire provided feedback on the access to the current and planned developments? Richmond identified that they have not on the second phase but did on the first concept plans identified.
- Berndt feels this is being rushed, there is no landscape plan, and someone is dropping the ball on river bluffs enforcement. With trails not being planned for, the Commission is trying to approve things that are not ready. Confused why planning commission not seeing things completed.
- Zutz, two issues at hand, one is an enforcement issue which the commission can do nothing about, the areas that need enforcement are outside of the area being discussed tonight. Second, the development at hand and knowing the road situation is not going to change. Need to move forward with what is in the packet and make Commission suggestions to Council.
- Zutz, requesting staff to clarify wetland, where they begin, describe. Richmond described the wetlands not extending into the lots, only the buffers. Buffers are treated as setback.

a. **<u>Rezoning,</u>**

Richmond clarified the rezoning is to allow the 7.5 foot side yard setback. This includes the lots backing up to the river. They are larger lots, still contain the 7.5 foot setback but still required to meet a 30% impervious surface requirements. 7.5. With 6a, Commission is accepting that 7.5 foot set back is required upon each lot. City Code requires properties to be at least 12 feet apart, with this setback properties will be 15 feet apart. This will also maintain consistency within the development.

Zutz moved to recommend approval the future Rezoning to a PUD, Second by **Fairbanks**, no further discussion, **motion carried 6-0**

b. **CUP**,
approval of CUP for the construction of public roads, subject to condition, **Berndt** moved to recommend approval subject to conditions, second by **Fairbanks**, further discussion – CUP on page 17, item 4 –regarding wildlife, these are suggested conditions from the MN Rule, can increase. When this would impact nesting, consult the DNR for instruction. **Berndt** to Amend motion to include consulting the DNR, **Motion carried 6-0**

c. **Development Plan and Preliminary Plat. (Agenda did not specify this item specifically as the public hearing was held in September) Includes landscaping and parks.** Subject to conditions listed on page 17-19. **Zutz** motions to approve with additional consideration that the developer, builder, realtors and owners are provided information on city code on rules to river lots. Best interest of the community to ensure all parties are well informed. Morin suggested best management practices on conservation practices to address erosion, habitat destruction and DNR consultation. Park dedication was decided that the city take as funds and not unusable land. Morin wants land and more green space in this area that can be developed as discussed in the concept plan. Steinke clarified park in Phase 1, 2.6 acres was buildable. Staff suggesting to take funds in lieu of wetland or additional green space. Cash received would be used for purposes of the park and Comprehensive plans. Land was dedicated in phase one to be developed as a park, future funds used to create and upkeep of parks. Comprehensive plan identifies where the city would like to see parks and ensure that what is proposed is consistent. Second by **Murray** Motion failed 2-4

Berndt makes a motion to deny the development plan, second by **Morin**, motion passed
Finding of fact: Park does not provide usable land and taking cash option not favored. No identified trail system. Missing landscape plan. Additional communication on property owners for river bank use.
No further discussion, **motion carried 5-**1

d. Easement Vacation of drainage and utility easement.
Zutz makes a motion to approve the vacation of the drainage and utility easement. Second by **Fairbanks**, discussion by Murray in regards to cable and internet, Richmond clarified this is for city utilities. **Motion carried 6-0**

7. **Regular Business Items:**
   a. November Planning Commission Meeting.
   Creelman there are no applications at this time. Not clear if Rivers Edge would be back for November. Question on attendance. Commission discussed, decision made to cancel meeting, would not have a quorum.

8. **Planning Commission Discussion** None

9. **Adjournment:** Motion by **Berndt** second by **Fairbanks** to adjourn. Motion carried 6-0. Meeting adjourned at 8:58 pm.

DATE APPROVED: 02/20/2019
Taken from audio
Kate Thunstrom