

MINUTES
CITY OF DELANO
Planning Commission
Monday, November 13, 2017
7:00 PM

1. Call to Order

Meeting was called to order at 7:00 PM, Monday, November 13, 2017

2. Roll Call

Present:

Larry Bartels
Jeff Demuels
Angela Kalthoff
Jon Krieg
Nat Malen
Steve Williams

Not present:

Jeremy Clarke

Also present:

Holly Schrupp, Council Liaison
Al Brixius, City Planner
Justin Markon, Recorder

3. Approval of Agenda

Williams made a motion to approve the agenda, seconded by Bartels; motion carried.

4. Minutes

A. Minutes of the Delano Planning Commission meeting of Monday, October 9, 2017

Malen was present and Williams was absent at the October 9, 2017 meeting. Attendance corrected.

Bartels made a motion to approve the corrected minutes of the meeting on October 9, 2017; Kalthoff seconded, Williams abstained; motion carried.

5. Public Hearing

A. Consider request for rezoning and preliminary plat for Highland Ridge 6th Addition
Attachments: Exhibits

Brixius introduced the preliminary plat for Highland Ridge 6th addition. Staff recommended approval of the rezoning of the area from PUD to R-3 and approval of the preliminary plat. The current plat shows the 6th addition subdivided into ten lots; nine single-family-homes and one large lot for a future church. Brixius noted that the rezoning request is consistent with the comprehensive plan based on lot size and availability of adequate public utilities. He also said that there are issues to be resolved concerning streets in this area which would need to be resolved before a final plat is approved. While the entire area would be rezoned as R-3, churches are allowed within this zone with a conditional use permit.

Related to the preliminary plat, Brixius highlighted that the blocks, lots, building sites, and setbacks meet the expectations for R-3 zoning. The extended cul-de-sac has a total length of 770 feet, which would require a variance because it exceeds the City's 500 foot maximum standard for cul-de-sacs. The preliminary plat shows a new curb and gutter for McKinley Parkway proposed to end at the south lot line of Lot 3, which does not meet the City's Subdivision Ordinance. There are three options to address this issue, including the developer building the curb and gutter to the south lot line of Lot 4, posting a cash escrow for the street improvements, or having the future church take a third party interest in the development agreement. Additionally, there is also a proposed trail along McKinley Parkway from County Road 30 to the north edge of the 6th addition. Similar provisions would be needed for this trail. Finally, a right turn lane must be installed at the corner of County Road 30 and McKinley Parkway to accommodate increased traffic associated with this project.

Pertaining to trails, the preliminary plat shows a 20 foot wide trail along the north edge of Lot 10 to provide trail connections to the future Highland Ridge Park. Staff realize that this current location would require the removal of many significant large pine trees. Staff recommends moving the trail to a different location, ideally between Lots 9 and 10. The interest is to save as many large pine trees as possible.

Brixius concluded that staff recommends approval of the change in zoning. Additionally, staff recommends approval of the preliminary plat with conditions outlined in the City Planner's report dated November 9, 2017 with the addition of the future church as a third party as it relates to improvements to McKinley Parkway and underground utilities. Brixius asked for feedback from the commissioners.

Kalthoff asked if the proposed fence along the east side of the addition would be permanent, and Brixius clarified that it would be a temporary grading fence. Bartels asked if the right turn lane would be necessary without the proposed church, and Brixius said that it would be necessary.

Bartels made a motion to open the public hearing, seconded by Demuels; motion carried.

Lee Johnson of Lennar spoke about the developer's interests in this project. He shared that church leaders approached him a year ago with an interest in purchasing the corner site in this new development. Overall, Johnson felt that the new design would be a better use with single family homes than what was previously designed. He shared that the 6th addition is like two different projects, one for the nine single family homes with Lennar and the other for the church construction. He felt that it would not be a problem to relocate the proposed 20 foot wide path between Lots 9 and 10 to maximize the trees that are saved. Brixius asked Johnson to describe the type of product they would build on the nine single family lots. Johnson replied that these homes would be the same as other Highland Ridge homes and all feature a three car garage.

Sue Niesen, a local property owner asked why the right turn lane was not installed when the development was created about twelve years ago. She was also concerned about access to the

farmland east of the 6th addition and inquired if the City plans to develop housing west of the Clover Springs 4th addition as laid out in the 2005 McKinley preliminary plat. Brixius replied first that there continues to be a plan to develop up to ten single family homes west of Clover Springs. He also said that he hopes involved parties can continue discussions and come to an amicable conclusion regarding an acquisition or easement right of way for the right turn lane and farmland access. These issues need to be resolved before the final plat. Williams asked if Wright County has looked into the County Road 30 turn lane, and Brixius replied that they have not commented at this point but would like input.

Mike Kalthoff, a homeowner in the Highland Ridge 1st addition, shared his support for moving the proposed trail to save large pine trees. He also asked if the trees to be saved would be marked. Brixius answered that there will be a revised tree preservation plat showing the saved trees and that the house on Lot 10 could be moved within the lot to preserve trees.

Darlene Sundheim, a homeowner in the Highland Ridge 2nd addition, shared that she would like to see a consideration for the speed limit to stay at 40 mph until McKinley Parkway, as she feels unsafe driving along County Road 30. She also voiced support for saving trees and working with local farmers to resolve issues. Brixius reminded Commissioners that the City will only annex land by request.

Mark Peterson, a homeowner in the Highland Ridge 2nd addition, shared that he is a proponent of the cul-de-sac and saving trees because otherwise there is a lack of trees in the development. Commissioner Angie Kalthoff said that she would recuse herself from voting on this matter because she is an abutting landowner. She shared that she is in favor the cul-de-sac and preserving large trees that cannot be replaced. She also looks forward to the right turn lane off County Road 30.

Krieg called three times for public comment. Bartels made a motion to close the public hearing, Kalthoff seconded; motion carried.

Krieg made a motion to approve the rezoning from PUD to R-3 and preliminary plat, with the addition for the opportunity for the future church to enter into the development agreement regarding improvements to McKinley Parkway and underground utilities, Demuels seconded, Kalthoff abstained; motion carried.

B. Continued public hearing to discuss Delano City Code Section 301.01 as it relates to Right-of-Way Management

Brixius summarized that at the October Planning Commission meeting, the first draft of code changes was presented. Based on feedback from that meeting, he discussed further with the City attorney, DMU General Manager, and the City engineer. Their comments were presented in Exhibit A of the City Planner's report dated November 8, 2017.

Brixius noted that changes in Exhibit B of the City Planner's report dated November 8, 2017 include Subd. 10 related to a Conditional Use Permit requirement for installation of new small cell support structures in residential districts and the Central Business District. Additionally, structures shall have a 5 foot setback from a private driveway and that structures shall not have lighting unless approved by the DMU General Manager. Williams pointed out that "feet" should be added to Subd. 10. C. 3. k. Finally, plans should demonstrate collapse zone and wind load information. Brixius recommend approval of Exhibits B and C.

Demuels asked if others were currently working on this topic. Brixius said that cities need to have a local ordinance in place by January 1, 2018. A cellular company was recently

canvassing cities about placing a pole in the public right of way. Many did not have any language yet in place.

Bartels shared that he was surprised that Cities cannot hold a financial security for issues related to abandonment of structures and that taxpayers would assume all liabilities if the structure was abandoned or the company goes bankrupt. Brixius said that he would discuss this matter with the City Attorney and try to find enforceable language.

Krieg closed the public hearing.

Williams made a motion to approve Exhibit B as proposed, Demuels seconded; motion carried.

Bartels made a motion to approve Exhibit C as proposed; Williams seconded; motion carried.

6. New Business

7. Old Business

8. Updates and Future Land Use Development Applications

9. Other Business

10. Adjournment

The meeting was adjourned at 8:25 pm.