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- 5 1. **CALL TO ORDER** – Sally Doherty called the meeting to order at 7:00 PM
- 6
- 7 2. **PLEDGE OF ALLEGIANCE** – was recited.
- 8
- 9 3. **OATHS OF OFFICE**
- 10 Christian Dawson
- 11 Doug Parker
- 12
- 13 4. **ROLL CALL** – Present: Sally Doherty, Christian Dawson, Doug Parker, Roger Bowman, Justin Sykora.
- 14 A Quorum was present. Absent were Scott Patten, James Langan & Kris Kopitzke (all excused).
- 15 **ALSO IN ATTENDANCE** – City Council member Lucia Wroblewski, City Administrator Ron Moose
- 16
- 17 5. **APPROVAL OF AGENDA** –
- 18 The Election of officers will be deferred until next month
- 19 **Motion/Second Bowman/Sykora to approve the agenda for the March 4, 2019 Planning Commission**
- 20 **meeting as amended. Passed 5-0.**
- 21
- 22
- 23 6. **APPROVAL OF MINUTES** –
- 24 A. February 4, 2019
- 25 **Motion/Second Bowman/Doherty to table approval of minutes of the February 4, 2019 Planning**
- 26 **Commission meeting until April. Passed 5-0**
- 27
- 28 7. **REPORTS AND PRESENTATIONS** - None
- 29
- 30 8. **PUBLIC HEARINGS** –
- 31 A. **Kathy Bolton-Iverson Application for minor subdivision and variance** (taken out of order)
- 32 Doherty opened the Public hearing at 8:08 PM
- 33 Administrator Moose provided a summary of the application which is for a minor subdivision at 3632 St.
- 34 Croix Trail to divide the existing 1.033-acre parcel into two parcels of 22,500 sq. ft. each. The variance is
- 35 to allow the existing garage to remain as it is located 17.8 feet from the new boundary line.
- 36 Bowman asked why split the lot now instead of waiting until the shed is moved.
- 37 Kevin Johnson, adjacent neighbor to the property questioned the long term plan and process
- 38 No other public comments. The applicant was not present.
- 39 **Motion/Second Bowman/Sykora to close public hearing. Passed 5-0**
- 40 Public hearing closed at 8:18PM.
- 41 Discussion
- 42 Doherty and Bowman both questioned the sequence of events. Moose replied he understood it to be to first
- 43 renovate the existing house, move shed, then split property.
- 44 Sykora asked if there were any historical issues with the shed?
- 45 With the existing building straddling the new property line, the order of events was questioned by all. The
- 46 lot would be non-conforming if building is moved.
- 47 **Motion/Second Sykora/Doherty to not recommend approval of subdivision due to the existing**
- 48 **building on the lot line; and subdivision is not necessary to do renovation work at property. Passed**
- 49 **5-0**
- 50
- 51 Doherty noted that the variance request is no longer applicable with subdivision being denied, but would
- 52 have been in approval of, as the 10’ setback to rear property line would have been admissible.
- 53
- 54 **Motion/Second Bowman/Sykora to recommend denial of the variance request because it is no longer**
- 55 **necessary with the subdivision being denied, and to indicate to City Council when the subdivision is**

56 approved, the Planning Commission would look favorably on the variance; denial has to do with the  
57 process.

58 **Doherty Friendly Amendment (accepted): The variance request does not pass the uniqueness test; it**  
59 **is brought on by the landowner.**

60 **Motion Vote: Passed 5-0.**

61

62 **B. Tim and Jacqueline Leba application for a variance for a driveway**

63 Doherty opened the Public hearing at 7:09 PM

64 Administrator Moose provided a summary of the application which is for a variance to the 300 foot  
65 driveway separation requirement to allow a driveway to serve one house on an 80-acre property east of  
66 Neal Avenue at 22<sup>nd</sup> Street. The variance is to enable the driveway to be located 215 feet from the  
67 nearest driveway on the same side of Neal Avenue vs. the required 300 foot separation. The subject 80-  
68 acre parcel has an existing driveway that serves the 40-acre parcel to the south through a private driveway  
69 easement. The proposed driveway would be separated by a distance of 215 feet from the existing private  
70 easement driveway.

71 Bowman asked about crossing 12 & 18% slopes. Moose stated they can cross 12 % slopes. Land currently  
72 is owned by Landucci and will be sold contingent to driveway.

73 Mara Clark, owns property to east of parcel. Asked if this lays the foundation for future development or  
74 does it eliminate that possibility?

75 Moose replied it does not lay the foundation for a PLCD.

76 **Motion/Second Parker/Dawson to close public hearing. Passed 5-0**

77 Public hearing closed at 7:17 PM.

78 Discussion

79 Parker asked about the history of the property.

80 Todd Erickson, Engineer, explained that the property is owned by a developer who and decided to sell it as  
81 one parcel rather than develop.

82 Bowman asked about the 40 acres in back and if there is other access (no, it is landlocked)

83 Doherty asked about PID numbers, are there 3? (yes, 3). It is important for this to become one PID with  
84 the county, as it is in our ordinances that parcels need to be combined if they don't meet requirements for  
85 frontage or lot size. Landlocked parcels should be combined.

86 Parker asked about shared driveways (Moose replied that the current ordinance doesn't allow for shared  
87 driveways.)

88 Doherty stated that the use fits well with the Comprehensive plan. The other use that was considered was a  
89 PLCD and they decided this was better fit. This is the most logical place for placement of driveway. It  
90 would require the condition of a turnaround. What would width of driveway be? (Erickson will follow city  
91 recommendations.)

92 Moose replied that the ordinance states a maximum width of 22' (ord. 12-84).

93 Doherty suggested adding a condition that "the driveway to meet all requirements of Ordinance 12-84."

94 Erickson stated the driveway would be a farm access for now, the rest would be completed when they build  
95 the house.

96 Doherty suggested adding a condition "prior to beginning construction of home a turnaround will be built".

97

98 **Motion/Second Bowman/Dawson To recommend approval to the City Council of the Tim and**  
99 **Jacqueline Leba Application for a variance for a driveway to serve the 80-acre property located**  
100 **east of Neal Avenue at 22nd Street with PID#s 17.028.20.21.0002, 17.028.20.12.0001 and**  
101 **17.028.2013.0004, with findings and conditions below.**

102 **Findings**

103 **1. The subject property, as well as the surrounding properties, is zoned Ag**

104 **2. The proposed driveway would be separated from the nearest driveway on the same**  
105 **side of Neal Avenue by 215 feet, vs. the required separation distance of 300 feet**

- 106 3. A property can have more than one driveway, subject to approval by the Zoning
- 107 Administrator
- 108 4. The proposal would enable one house on 80 acres of property.
- 109 5. The proposed house is planned to be located approximately 2500 feet east of Neal
- 110 Avenue, and would be difficult or impossible to see from Neal Avenue
- 111 6. The proposed driveway is approximately 2,500 feet in length

112 **Conditions**

- 113 1. Prior to construction of the house, a turnaround, meeting the requirements of Sec.
- 114 12-84. E., shall be provided at the end of the driveway to enable public safety vehicles
- 115 to turn around to exit the property
- 116 2. Prior to driveway construction, the three parcels that make up the 80- acre
- 117 property shall be combined into a single PID.
- 118 3. A driveway permit is required and the driveway shall meet all residential driveway
- 119 standards of Sec. 12-84, and shall be subject to review and approval by the City.
- 120 4. The driveway is subject to a permit from the Valley Branch Watershed District,
- 121 the approval of which shall be obtained
- 122 5. The driveway is subject to an access permit from Washington County, the
- 123 approval of which shall be obtained
- 124

125 **Motion Vote: Passed 5-0.**

126

127 **C. Gary Narducci application for a variance at 3475 Neal Ave S**

128 Doherty opened the public hearing at 7:36 PM

129 Administrator Moose provided a summary of application which is for a variance to the front yard setback  
130 and a Conditional Use Permit to enable the construction of a 1,480 sq. ft. accessory building at 3475 Neal  
131 Avenue. The subject property has a limited buildable area, due to steep topography on the north, northwest  
132 and east portions of the property. The existing house, which was approved to replace an older house in  
133 2004, is nonconforming in relation to the front yard setback, due to the steep topography to the east. The  
134 front yard setback of the house is approximately 120 feet vs. the required 150 feet. The planned accessory  
135 building is proposed to have a front yard setback of 126 feet vs. the required 150 feet. Similar to the  
136 existing house, the setback variance is due to steep slopes to the east.

137 Sykora asked about the location of a secondary septic site. (Moose does not currently have)

138 Parker asked about conservancy overlay district and what that means. (Moose explained there are no  
139 additional regulations, but that is an alert that there are sensitive features here. They are staying away from  
140 trees and erosion area).

141 No additional comments were received

142 **Motion/Second Sykora/Bowman to close public hearing. Passed 5-0.**

143 Public hearing closed at 7:47 PM

144

145 Parker asked how driveway is getting to the building and if there is room to turn around (there is room to  
146 turn around in existing driveway)

147 Bowman asked about the impact of roof run-off onto the steep slope over the years.

148 Sykora stated that runoff could be managed, would require long-term erosion control

149 Sykora feels it meets all the conditions for a variance. Would like to see a finding or condition relating to  
150 the secondary septic location and would add condition of long-term erosion control.

151 Doherty clarified that the variance is for a front yard setback of 126' from center line of road; CUP is for  
152 11' setback from a 18% slope.

153 Doherty stated two additional conditions: It shall be confirmed that a suitable secondary septic location is  
154 not disrupted by the placement of the building; and an erosion control plan should include runoff at the time  
155 of construction and also long term.

156 **Motion/Second Doherty/Bowman to recommend approval of the Gary Narducci application for a**  
157 **variance to the front yard setback to enable the construction of an accessory building at 3475 Neal**  
158 **Avenue with findings and conditions listed:**

159 **Findings**

- 160 1. The subject property is located in the Ag zone, as are the surrounding properties.
- 161 2. While the subject parcel is 8 acres in size, it is a long, narrow parcel with a lot width
- 162 of 264 feet vs. the required 300 feet
- 163 3. The subject property has limited buildable area, due to steep topography on the
- 164 north, northwest and east portions of the property and the septic system located
- 165 southeast of the house
- 166 4. The existing house is nonconforming in relation to the front yard setback, due to the
- 167 steep topography to the east. The front yard setback is 120 feet vs. the required 150
- 168 feet.
- 169 5. The planned accessory building is proposed to have a front yard setback of 126 feet
- 170 vs. the required 150 feet
- 171 6. The northeast corner of the proposed building is located as close as 11 feet from the
- 172 crest of an 18% slope.
- 173 7. The applicant has provided an erosion control plan that includes the elements
- 174 required by the City Engineer, including silt fencing between the proposed building
- 175 and the crest of the slope and the protection and revegetation of disturbed soils near
- 176 the crest of the slope.

177 **Conditions**

- 178 1. The erosion control plan shall deal with construction runoff, and the long term
- 179 impact of water runoff, and shall be reviewed and approved by the City Engineer.
- 180 2. A performance bond or Letter of Credit, equal to 125% of the total cost of the
- 181 erosion control plan shall be provided for a period of two (2) years beginning at the
- 182 time of completion to ensure the applicant adheres to the erosion control,
- 183 landscaping and revegetation plan.
- 184 3. The secondary septic system site shall not be disrupted by placement of the
- 185 building.

186 **Motion vote: Passed 5-0**

187 **Motion/Second Sykora/Dawson to recommend approval of the Gary Narducci application for a**  
188 **Conditional Use Permit to enable the construction of an accessory building at 3475 Neal Avenue,**  
189 **with findings, and conditions as listed above. Passed 5-0**

190  
191 **9. NEW BUSINESS -**

192 A. Pervious Pavers and Impervious coverage regulations

193 At the February 19, 2019 Council meeting, Mayor Palmquist requested, and the Council agreed, that the  
194 topic of how pervious pavers are treated in relation to the City's impervious coverage requirements,  
195 particularly in the Village Historic Site District, be referred to the Planning Commission for review and  
196 recommendations. Pervious pavers are currently treated as impervious coverage. A main reason for this  
197 is the concern that pervious pavers will not be properly maintained and, over time, will become  
198 impervious.

199  
200 **Motion/Second Bowman/Sykora to recommend that the council not make a change at this time, the**  
201 **science is imperfect, standards have not been defined.**

202 Sykora stated that over time, in this climate, pervious will become impervious. Long term maintenance  
203 and enforcement are problematic.

204 Parker stated that typically the pavers require 2x per year maintenance or cleaning to achieve 80%  
205 pervious rate. Better to have more conservative position

206 Bowman suggested a CUP could be granted on a case by case basis to exceed requirements  
207 Parker asked if allowed, where does it end?  
208 Moose stated that other cities will put a limit on, such as percent of total.  
209 Doherty asked if other stakeholders have a definition (State? DNR? Watershed?)  
210 Moose will gather other city ordinances  
211 Doherty stated that we should gather more facts  
212 Bowman stated that we need a measurable definition for permeable  
213 Sykora stated he would like feedback and information  
214 **Bowman withdraw motion (Sykora accepted) Motion Withdrawn**  
215 Research and come back next month  
216

217 B. Election of Officers  
218 Tabled until April  
219

## 220 10. OLD BUSINESS –

221 A. Review and clarification of elements of the PLCD ordinance language

222 Group 1 elements

223 a. Clarify that open space outlots in a PLCD are allowed to be created as outlots

224 Language in PLCD ordinance varies from the outlot language for cul de sacs.

225 Bowman asked why no cul-de-sac outlots? Moose replied that had to do with future development concerns  
226 on the cul-de-sac.

227 Recommend clarifying to read to “Allow unless the outlot is under conservation easement”  
228

229 b. Clarify that a PLCD requires a CUP rather than an Administrative Permit

230 All agreed to change language to “CUP” (appears to be a typo)  
231

232 c. Clarify maximum density allowed in a PLCD

233 3 per quarter-quarter section or 4 per quarter-quarter

234 Sykora stated it should be total of property, not by quarter-quarter as it can take away from neighboring  
235 property.

236 Doherty stated the zoning ordinance doesn’t mention quarter-quarter; also question on how to count

237 Parker stated it should be based around what is buildable, and what exists

238 Doherty stated it cannot be solved tonight; but everyone should think through language options  
239

240 Elements d,e, and f will be looked at next month  
241

242 B. Update on City Council actions

243 Council member Wroblewski provided a summary of the February City Council meeting.  
244

## 245 11. ADJOURN

246 **Motion/Second Sykora/Dawson To adjourn. Passed 5-0**  
247

248 Meeting adjourned at 9:30 PM  
249  
250  
251

252 Respectfully submitted by:

253  
254 JY

255 Julie Yoho, City Clerk  
256  
257

258 To be approved on April 1, 2019 as (check one): Presented: \_\_\_\_\_ or Amended:  X