

GARY B. SAUER - Cont. from 5/8/14

LOCATION: 5636 45TH Street SE – West Half of the Northeast Quarter south of River, Section 25, Township 119, Range 25, Wright County, Minnesota. (Crow River – Franklin Twp.) Tax #208-300-251300

Petitions to rezone and establish a Rural Planned Unit Development District and a Conditional Use Permit for a seven-lot platted residential subdivision with an outlot proposed along the river as regulated in Section 603, 612 & 614 of the Wright County Zoning Ordinance and Subdivision Regulations.

Present: Gary Sauer, Mark Gronberg, Gronberg & Assoc. Engineer/Surveyor & Jeff Martineau, with Coldwell Banker

- A. Riley noted the Commission made a site inspection of the property this past week. He summarized the request to rezone to a Rural Planned Unit Development District and proposed preliminary plat. The 40-acre parcel is zoned A/R Agricultural Residential. The decision tonight is whether the property is suited for rezoning to a Planned Unit Development District. The details on the road, swales, septic and house sites would come at the subdivision and platting stage.
- B. Pederson regarding the rezoning to the PUD district, he asked for comments from members who made the site inspection. Borrell referred to the air photo with the site plan that shows the existing house that has a long driveway. He noted the location where the road would meander.
- C. J. Thompson noted the preliminary plat has seven lots and she asked if the number of lots is decided tonight or at another time. Riley stated all the details for the plat are not decided but could not exceed seven lots; however, it could be reduced. At some point reducing the number would no longer make the PUD feasible. J. Thompson wanted confirmation the number lots could be adjusted. Riley confirmed it could not go greater.
- D. Borrell noted one Town Board member spoke that everyone would have been aware these roads would be extended. Riley stated that a previous Planning Commission and County Board rezoned the two pieces of property, allowed the adjacent plats developed with dead-end roads. One lot has a driveway in the dedicated road right of way, the thought was if the adjacent lands were developed the roads would be connected up. There is discussion in those developments that it was designed so they could be connected in the future. Buyers don't usually read the discussion on the Conditional Use Permits. Borrell – noted it is not as apparent on the one side where the driveway comes in but does not have a cul-de-sac. The other side it is apparent, there is a road block. Riley noted the Township allowed the private driveway to go in the road right of way because at the time there was no reason to extend the road to the property line. That is the reason it has a different feel. Pederson asked if the Township would be responsible for upgrading that section of the road. Riley stated the Township is willing to accept the road once it is built to their standards, but the question is who will be responsible for bringing the small section of road up to standards. That would be a decision between the Town Board and property owners. Sauer stated he

would take care of that.

- E. Borrell asked if there is a map to show the road. Riley using the air photo located the driveway that skirts the wetland and proposed road. He could speak to the concerns about the bluff, tiles and land issues, but again tonight the Commission must make a decision on whether this concept plan and is the land suited to an A/R PUD. Pederson asked about the Land Use Plan designation for this area. Riley noted the land is currently zoned A/R and the owner could try to subdivide four 10+ acre lots as it sits. The overlay district is a rezoning to get a PUD. The land is designated Rural Residential in the Plan. The area around includes two PUDs and some straight ten-acre A/R lots and this parcel between.
- F. Felger asked if the two adjoining plats of White Birch and Big Woods were developed under the PUD process. Riley stated they were. Those plats have a different configuration in that they have more lots in smaller clusters and more land protected in agricultural, the bluff and flood plain river area protected; on the other PUD no farmland was protected but the bluff and flood plain. This plat has fewer lots and less common ground.
- G. Borrell using the map noted another development and asked if that road would be extended over to Farmington? Riley stated it could be and that parcel has the same designation in the Plan. Borrell noted the Town Board would likely support that also because it would be one less dead-end road.
- H. Felger noted the Commission is supposed to be looking at the concept plan of seven lots and homes where the boxes indicate potential home sites. He pointed to one lot, Lot 3, Block 3, in the southeast and questioned if that lot could support a primary and alternate sewer sites. Gronberg stated he spoke to septic designer and there is also a potential for a sewer in the northeast corner. Felger asked if he could also look at a sewer site in the southwest corner? Gronberg felt that was possible. Felger – looking at Lot 1, Block 1, that sewer is up near the road and house up near the river that is uphill. Gronberg – that sewer would be under pressure. Riley stated these will be mound sewers. He had pointed out a couple potential sewer sites to give a buyer two choices to build.
- I. Randy Esparza –representing the Big Woods Association. The issues they want to bring up are on 55th Street and the new plat they are showing 54th Street. How would they make the current owners change their addresses. Another concern is if a new road is built and the Town Board wants them to improve roads on either side, who bears the cost. He did not think any change or improvements should fall on the existing owners. The Town Board wants the road to go through; however, the current owners are paying over \$80,000 in property taxes. At the last meeting six other owners were present and they are all concerned because the families utilize these roads because there are no sidewalks. He did not understand why this new plat could not have a “U” turn and develop this plat so it does not impact the current owners’ lives. He felt the property taxes they pay should allow this. They are very concerned about the traffic this would bring. The parcel that is 50 acres should accommodate a different road. He understands the Town Board’s concern, but it would only take another 10 minutes to plow them out. They pay a lot of taxes, they keep them current and he feels they pay for the services, of which are few. This developer

should not be able to infringe on them. He noted his lot location, the turn around there where the road maintenance cuts their corner and he does not complain about that.

- J. Felger asked the designer if they considered a “horse shoe” design and staying within their property. Gronberg – stated no, because with two right-of-ways to the line this makes sense. Felger –agreed if he saw two right of ways right up to the property lines he would assume the roads would connect up. The question is whether they looked at a different plan. Sauer explained they had to design around the existing wetlands and drainage systems and are allowing enough space.
- K. Borrell understands the Township would not like it, but felt the roads could be brought in part of the way and address the neighbors concern. D. Thompson asked if he was suggesting two cul-de-sacs. Borrell suggested they would only have to come in a couple lots, this would be the same number of turnarounds that now exist. Lot 2, Block 1, the driveway that is coming in there now could service the two new lots on the proposed plat; then extend the road and make a cul-de-sac.
- L. Martineau stated he and Mark looked at what makes sense. This is obvious with the stub streets. Creating two cul-de-sacs would create traffic that comes in and then goes back out rather than going straight through. The development of this property is consistent with what adjoins and they did look at the sensitivity of protecting the river banks. This matches up with how the properties were planned on either side and makes sense. It does not eliminate traffic, but it also eliminates doubling back. He noted some owners would go out one way and others a different direction. The stub streets make sense to continue out.
- M. Pettit pointed out the safety reasons it provides two ways for emergency vehicles to get into the development in the event a road is blocked.
- N. Pettit moved to grant the Commission finds that the criteria in section 614.2(3) of the zoning ordinance are met, the Plan will meet the requirements for common open space as regulated in 614.9, and the Town Board has approved. Therefore the Commission recommends that the County Board approve the rezoning and establishment of a Rural Planned Unit Development District for a maximum of 7 lots in accord with the outline development plan reviewed. Mol seconded the motion.

VOTE: CARRIED, Borrell voted nay

- O. Riley indicated a continuation is needed for the Conditional Use Permit for the subdivision. Discussion on the amount of time for completion of the plans. Martineau asked the submission deadline for plans before the next meeting. Riley indicated the deadline for plans is June 26, for July 17 meeting. The hearing could be extended out if needed.
- P. Felger – the Commission looked at a concept, he asked if it would be appropriate to ask for the applicants to come up with a Plan “B” for an alternate access design. Riley explained the motion was on this particular plan, but that is up to the Commission. If they want to consider a different concept plan, they should not be approving the rezoning on this Plan.

They should go back for a different concept Plan to get the rezoning. If the design changes because of build-ability issues that is one thing. Felger – it makes sense to go through, but empathizes with the owner that spoke that he is paying the township well to maintain the cul-de-sac, noted they are paying for the service of the dead-end road although it makes sense to push it through. Could they do something to alleviate the situation on both ends. Martineau – it has been obvious at the Town Board meeting that they would not accept a cul-de-sac design. Felger – agreed it makes sense, they are leaving two cul-de-sacs, they are getting paid for them; but suggested there may be a horseshoe road design. Martineau that would create a bigger traffic problem. Leaving one stub they are all going one way out. Mol – they passed a concept and the Plan fits in with what is out there. At one time the two pieces of land on either side were undeveloped like this and now the parcel in the middle has come in for development and they are putting all three together. As a Township Supervisor he noted you do not want a turn-around; people coming in turning around creates problems. Having basketball hoops in a public road right of way creates a liability for the Township if someone should get hurt. At one time, these two plats were designed to continue through. The developer has done his due diligence to come up with a plan that meets the criteria. Borrell agreed with Mol, but as Felger noted there may be another design. The roads could be extended out. Pettit raised a point of order, the motion has passed and the Commission should move on. Borrell suggested connecting the roads up and a “round-about” might be an option.

- Q. Martineau requested a continuation to July 17, and suggested a meeting with Staff.
- R. Mol moved to continue the Conditional Use Permit to July 17, 2014. J. Thompson seconded the motion.

VOTE: CARRIED UNANIMOUSLY