

**MINUTES
CITY OF FALCON HEIGHTS
PLANNING COMMISSION MEETING
December 8, 1998**

COMMISSIONERS PRESENT

Tom Brace
Wayne Groff
Ken Salzberg
Irene Struck
Wendy Treadwell

ALSO PRESENT

Susan Hoyt, City Administrator
Carla Asleson, Planner
Sue Gehrz, Mayor
John Uban, Consulting Planner
Frank Kriz, Consulting Engineer
Roger Knutson, City Attorney

COMMISSIONERS ABSENT: Paul Kuettel (arrived later), Toni Middleton

CALL TO ORDER

Meeting was called to order at 7:00 p.m. by Chair Treadwell.

APPROVAL OF SEPTEMBER 22, 1998 PLANNING COMMISSION MINUTES

A motion was made by Commissioner Brace, seconded by Commissioner Struck, to approve the minutes of the September 22, 1998 planning commission meeting. The motion passed unanimously.

Commissioner Kuettel arrived at 7:02 p.m.

**PUBLIC HEARING ON THE PROPOSED REZONING AND PRELIMINARY PLAN FOR
QUESTWOOD TOWNHOMES AT 1859 N. SNELLING DRIVE**

Consulting Planner John Uban explained that the property at 159 N. Snelling Drive is designated as low density housing, four units per acre or less, in the city's comprehensive plan. It is presently zoned as R-1 single family residential, which allows for a minimum lot size of 10,000 square feet. The proposed development is for five twinhomes (10 units total) on 4.79 acres of land, or 2.29 units per acre. The developer, Mr. Gordy Howe of Masterpiece Homes, wishes to develop the parcel as a Planned Unit Development (PUD), which requires a rezoning from R-1 Single Family. A PUD is a zoning classification that allows multiple uses within a single use district and allows for creativity of design. Once the elements of a PUD are approved, it takes a 4/5 vote of the city council to change them, which gives the city more control over the design of a site than other zoning classifications, which are required only to meet general zoning requirements for items such as setbacks and height. Planner Uban walked through the design elements of the proposed development, including landscaping, street, on-site ponding and storm drainage, layout of homes, and the two variances which would be a part of the PUD including one for porch setbacks and another for cul-de-sac length. After describing the proposal and how its

land use and design will be compatible with the site, the neighborhood, and the community, Uban concluded by stating that it was his opinion that this development would be good for the community.

Administrator Hoyt reported that the developer had met with neighbors of the proposed development independently of the city. She also summarized comments that she had from neighbors of the project prior to the eventing. A neighbor to the south on Garden Avenue wishes to see the green space between the properties to the south and the townhomes to remain open space and not be taken up by structures. The owner of 1865 Snelling, just to the north of 1859 Snelling, is comfortable with the development, with the understanding that 1859 Snelling remain a single family home and that the townhomes remain to the south and west of her property and that the city place maximum control in restricting the single family part of the project from changing to townhome use. The University of Minnesota wants people buying the new homes to be aware that the adjacent agricultural fields are sprayed three times each year. There was also an inquiry about an increase in traffic to the area. Hoyt noted that traffic calculations predict an additional 59 vehicle trips to the area as a result of this development.

Mr. Gordy Howe, Masterpiece Homes, explained the various elements of the plan to the planning commission and audience members, including photos of the proposed new homes.

Commissioner Treadwell asked about the existing trees on the site. Howe replied that they will save as many as possible and transplant at least 85 trees.

Commissioner Salzberg asked for clarification on the maintenance of the new development. Planner Uban explained that a homeowner's association would be established as part of the PUD and the association would have the responsibility for maintaining the property.

Commissioner Groff inquired about the length of the cul-de-sac, which would require a variance. Planner Uban explained that Falcon Heights has a maximum cul-de-sac length of 400 feet, which is short when compared to other cities. The reason for limiting cul-de-sac length is to allow for fire department access to the end of the road. The proposed cul-de-sac is 706 feet, which should be adequate. There will be a fire hydrant at the end of the road and at the midway point of the road. Also, the fact that there are a low number of units on the cul-de-sac and that they are all built on the same side of the road makes it less likely that the road will be blocked by parked vehicles.

Commissioner Brace commented that parking may need to be restricted on one side of the road in order to allow for the passage of emergency vehicles. Administrator Hoyt replied that each unit has four off-street parking spaces. She said that the parking is planned for the south side of the road, but the north side would not be

posted "no parking" unless a problem resulted from parking on both sides of the road.

Commissioner Brace asked about the existing detached garage on the site that is going to be moved and whether the garage's existence or setback would run afoul of any zoning ordinances. Administrator Hoyt answered that because this is a PUD and R-1 zoning ordinances do not apply. Planner Uban explained that the garage is a pre-existing condition.

Commissioner Brace asked how prospective buyers would be made aware of the pesticide use on the University fields. Mr. Howe replied that he will be making buyers aware of the practice before purchase.

Mayor Gehrz inquired as to whether research had shown a market for \$300,000 townhomes. Mr. Howe replied that he is confident that the units will sell to empty nesters and young professionals. He did a similar development in Arden Hills and the entire project was built and all the units sold within 10 months. He has three buyers already lined up to purchase units in this development if it is approved.

Commissioner Struck asked about the layout of the homes themselves. Howe replied that they would two bedrooms, master bath, 1/2 bath, great room, dining room and kitchen upstairs and two bedrooms, rec room, and a 3/4 or full bath downstairs. Each unit would have a double car garage with double car driveway.

Chair Treadwell opened the public hearing at 7:55 p.m. (Some comments by unidentified persons are not included.)

Ms. Pam Harris, 1865 N. Snelling Avenue, noted that she lives to the north and adjacent to the existing single family home. She stated that she is generally okay with the development as long as the existing single family home remains single family in use. She asked if her front yard would be torn up to put in new utility lines and if there would be any service interruptions. Engineer Kriz responded that there would be some excavation done in the right-of-way and that the grass would be restored. Water service will likely be interrupted for a few hours during this process.

Ms. Melissa Maher, 1626 Garden Avenue, inquired about noise levels during construction and the hours that construction would occur. Mr. Howe answered that typical construction hours are 7:00 a.m. to 4:00 p.m.

Mr. Joel Toso, 1734 St. Mary's Street, asked for further clarification regarding the proposed ponding and water run-off from the development. Engineer Kriz answered that on-site ponding will take care of the new homes on the development. Very little water will be leaving the site. Water run-off is designed to go north between the townhomes. Planner Uban stated that his recollection is that the pond is larger than necessary to accommodate water from the development. It will have a "damp

bottom" and will hold water long enough to allow sediment to leave the water before the water leaves the site.

An unidentified female, 1643 Maple Knoll Drive, stated that she had no problem with the look of the proposed development. Her concerns are traffic noise and speed on Snelling Drive and Snelling Avenue. There have also been problems with people disregarding the stop signs at Garden and Snelling Drive. Ms. Savanna Borne, 1635 Garden Avenue, concurred with the above speaker's comments, stating that she also notices traffic noise and traffic violations. Administrator Hoyt responded that the city's police provider will be instructed to monitor the area for stop sign violations and speeders. However, the city does not have jurisdiction over the speed limit set on streets. This is established by the State of Minnesota.

Mr. Perry Toso, 1654 Maple Knoll Drive, stated that his forthcoming comments were not meant to be a reflection on this particular development. He stated that it is unsettling that the neighborhood was not involved in the planning of this development before this meeting. The public hearing notice was the first notification he'd received about development of this land. The proposed development seems to be a done deal.

Mr. Randy Gustafson, 1775 St. Mary's Street, asked for further clarification of the park dedication and about the effect of the proposed development on the valuation of nearby homes. Administrator Hoyt replied that the park dedication is a fee that is paid by the developer to the city's park fund. As for the valuation of nearby homes, Planner Uban noted that while the tax impact can't be known, he could not see that the development would have a potential negative impact on nearby valuations.

Administrator Hoyt clarified that no decisions about the proposed development have been made as of yet. The developer and the city council have not discussed the development. The city staff typically works with a developer to bring forward a plan that would meet the minimum requirements of the city, when it is possible to do so.

Attorney Knutson reported on the state law that gives the city up to 60 days, with the option of a 60 day extension, to approve or deny a land use request. If the city does not take action within that time frame, the plan is automatically approved. The application for this development was received on November 1, 1998.

Ms. Maher, 1626 Garden Avenue, asked, hypothetically, what would happen if the city were to deny the project? Attorney Knutson responded that the city has some discretion over whether to approve the rezoning from R-1 to PUD. It has much less discretion over whether to approve a subdivision; if a developer meets the city's subdivision requirements, the city usually must approve it. If this rezoning to PUD is denied, the property owner could divide the land into single family home lots without much discretionary action from the city council.

Mr. Gustafson, 1775 St. Mary's Street, noted his concern for the safety of pedestrians in the area. Administrator Hoyt reiterated that the city's police provider would be directed to enforce the speed and stop sign violations in the area. She also stated that Snelling Drive might be a candidate for pathways, although pathways are probably not likely in the near future given that Snelling was just recently reconstructed. Planner Uban noted that the traffic count forecasts would amount to six trips per unit per day. During a peak traffic hour, this might mean an additional six to ten vehicles using the road.

Mr. Jim Bykowski, 1745 St. Mary's Street, inquired about the city's ability to ensure the maintenance of the private road. Planner Uban answered that the road would initially be built to city standards and would be maintained by a homeowner's association, which escrows money for routine maintenance and long term needs. Attorney Knutson explained that the requirements of the PUD would be recorded against the property and that this development would also be subject to the same property code requirements as single family homes.

Ms. Borne, 1635 Garden Avenue, asked the developer what he would be doing to ensure that there would not be water damage in the basements of the new homes. Mr. Howe reported that soil borings performed had shown no threat of water leakage. However, he will still be installing drain tile in the basements, just in case. Ms. Borne then noted her appreciation to the developer and the present property owner for being allowed to have input into the process. She also noted that she's grateful that a compatible design is being proposed for the area.

Ms. Maher, 1626 Garden Avenue, asked if the property was going to be developed into housing even if this proposal failed. The property owner, Ms. Janet Wallin, said it would be sold to a developer unless it was purchased by a single family for a single family home. Given this, Ms. Maher stated that this design is probably the best choice for the property given the other options that are available. The people moving into the new houses are going to care about their neighborhood and will not be creating a traffic safety issue that isn't already there.

Ms. Sheila Toso, 1654 Maple Knoll Drive, requested clarification as to the size of the proposed homes. Mr. Howe clarified that each unit would be 3500 square feet. The number of bedrooms can be altered, but typically there are two bedrooms upstairs and two downstairs. Empty-nesters typically live upstairs and use those bedrooms for sleeping and office space, with the downstairs bedrooms used for visitors and storage.

There being no one else wishing to comment, Chair Treadwell closed the public hearing at 8:50 p.m.

The planning commission discussed a resolution recommending approval of the PUD to the city council. A motion was made by Commissioner Salzberg, seconded by Commissioner Kuettel, to approve the following resolution:

WHEREAS, the PUD preliminary plan for the Questwood Development meets the requirements of the city's comprehensive plan with a planned density of 2.29 units per acre; and

WHEREAS, the PUD site plan with the layout of the structures, mixed townhome and single family use, road access and ponding area form a desirable and unified development within its own boundaries; and

WHEREAS, the PUD proposed townhome and single family home use is consistent and compatible with the surrounding land uses of single family residential and is compatible with the agricultural research fields; and

WHEREAS, the PUD exceptions to the standard ordinance regarding the rear setback for eight (8) porches and the length of the cul-de-sac at 706 feet are justified by the design of the development internally and related to surrounding land uses; and

WHEREAS, the PUD plan will not pose an excessive burden on public infrastructure; and

WHEREAS, the PUD preliminary plan provides a landscaped buffer between the development and the properties to the south and the landscaped yard of the single family home buffers the residence to the north; and manages stormwater to minimize issues on the agricultural fields, the PUD will not have an adverse impact on the reasonable enjoyment of neighboring property.

THEREFORE, BE IT RESOLVED that the planning commission approves the rezoning from R-1 to PUD and approves the preliminary plan for the Questwood Development.

This approval is contingent upon:

- Masterpiece Homes submitting a development agreement and timetable.
- The single family unit be part and governed by the PUD plan.
- The variance be granted for rear yard setbacks for covered porches as needed and described in the plan.
- The private road be platted as an easement with access for public use when needed.
- The townhome association not be permitted to turn the private road over to a public road at any future date.
- No new structures or paving be allowed except as identified in the preliminary plan.
- The developer work with the city to provide water access for an additional public fire hydrant.
- The developer work with the city to generally satisfy park dedication requirements prior to receiving approval for the final plan.

The motion passed unanimously.

UPCOMING BUSINESS

Administrator Hoyt updated the commission on anticipated business items for 1999, including a request to extend Lindig Street and the comprehensive plan update.

ADJOURNMENT

A motion was made by Commissioner Kuettel, seconded by Commissioner Salzberg, to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 8:50 p.m.

Respectfully submitted,



Carla Asleson
Planner/Recording Secretary