



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Minutes – Wednesday, May 6, 2020 – 6:30 p.m.**

1. Call to Order

Chair Gitzen called to order the regular meeting of the Planning Commission meeting at approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.

2. Roll Call

At the request of Chair Gitzen, City Planner Thomas Paschke called the Roll.

Members Present: Chair Chuck Gitzen; Vice Chair Peter Sparby, and Commissioners Julie Kimble, Michelle Kruzel, Tammy McGehee, Michelle Pribyl and Karen Schaffhausen.

Members Absent: None

Staff Present: City Planner Thomas Paschke, Senior Planner Bryan Lloyd, Community Development Director Janice Gundlach and Community Development Department Assistant Staci Johnson.

3. Approve Agenda

MOTION

Member McGehee moved, seconded by Member Kruzel, to approve the agenda as presented.

Ayes: 7

Nays: 0

Motion carried.

4. Organizational Business

a. Elect Planning Commission Chair and Vice-Chair

MOTION

Member McGehee moved, seconded by Member Kruzel, to appoint Member Gitzen as Chair of the Planning Commission.

Ayes: 7

Nays: 0

Motion carried.

MOTION

Member Gitzen moved, seconded by Member Pribyl, to appoint Member Sparby as Vice-Chair of the Planning Commission.

Ayes: 7

Nays: 0

Motion carried.

b. Appoint Variance Board Members

MOTION

Member McGehee moved, seconded by Member Sparby, to appoint Members Sparby, Pribyl, Kruzel and Schaffhausen as alternate to the Variance Board.

Ayes: 7

Nays: 0

Motion carried.

C. Appoint Ethics Commission Representative

The Commission appointed Commissioner Kruzel to the Ethics Commission as the Planning Commission representative.

5. Review of Minutes

a. March 4, 2020 Planning Commission Regular Meeting

MOTION

Member Kimble moved, seconded by Member McGehee, to approve the March 4, 2020 meeting minutes.

Ayes: 7

Nays: 0

Motion carried.

6. Communications and Recognitions:

a. From the Public: *Public comment pertaining to general land use issues not on this agenda, including the 2040 Comprehensive Plan Update.*

None.

b. From the Commission or Staff: *Information about assorted business not already on this agenda, including a brief update on the 2040 Comprehensive Plan Update process.*

None.

7. Public Hearing

a. Request for Approval of a Preliminary Plat and Subdivision Variance to Subdivide the Subject Property into 32 Lots for a One-Family, Attached Townhouse Development Along a Private Cul-De-Sac Street (PF20-003)

Chair Gitzen opened the public hearing for PF20-003 at approximately 6:45 p.m. and reported on the purpose and process of a public hearing. He advised this item will be before the City Council on May 18, 2020.

Senior Planner Lloyd summarized the request as detailed in the staff report dated May 6, 2020.

Commissioner Pribyl asked if the trail along Lexington be following along the right-of-way within the right-of-way.

Mr. Lloyd indicated it would be within the Lexington Avenue right-of-way. At present the developers would only be responsible for building a portion of the trail that goes from County Road C into the development site and as other public improvements are implemented in the future the remainder of that trail connecting it further south to Woodhill and meeting up to the other trails would be the goal.

Commissioner Pribyl noticed on the site plan there are partial sidewalks along County C2 being proposed as part of the development within the property line that looked like it goes from the private street to what she assumed is meant to be the front entrances of the townhomes and given how much walking everyone is doing now, if it would be something the city would encourage or the developer might consider extending that to be more of a neighborhood connection rather than little segments that wrap around the building. She asked if there were any plans for a public path along County C2.

Mr. Lloyd indicated there was not as far as requirements for the development that the city currently has recommended placing on it. He explained he cannot speak to what the overall plans are for halfway in the County Road C corridor. There is a Ramsey County open space just to the north of County Road C2 and he assumed there are connections that are available, but he was not aware of what those long-term plans might be.

Commissioner Schaffhausen asked if a fence is proposed to be put up because she was thinking about the neighbors behind this.

Mr. Lloyd explained there isn't a fence that is a component of the development but there is a lot of elevation change between the eastern edge of the eastern row of townhomes and the western edge of the properties abutting them which are on the west side of Churchill Street. There are natural slopes and the landscaping plan will have more trees planted in that eastern portion of the development site.

Mr. Matthew Pavek and Peter Knable, Lexington Woods, LLC, addressed the Commission.

Commissioner Pribyl asked for clarification that the townhomes are indeed planned to face away from the private drive.

Mr. Pavek indicated that was correct. Their idea for Lexington is that it is a double frontage situation and this style of townhome works best on a collector road like that to show the front of the home and the back has a private walk.

Mr. John Rask, MI Homes, builder of the project reviewed the layout of the townhomes with the Commission.

Commissioner McGehee asked if Mr. Rask has done anything in terms of energy efficiency in this particular spot for a townhome.

Mr. Rask explained under today's energy codes the quality of the windows, the heat recovered air exchangers used, the level of insulation both in the attic and wall space create very efficient homes. These homes meet all of the most recent energy codes in the State.

Commissioner McGehee appreciated the effort of maintaining some open space. She thought it was really important and appreciated the quality and type of open space within this development.

Commissioner Kimble asked if there were any elevations of the townhomes in the package to show.

Mr. Lloyd did not believe staff had any current elevations for the Commission to see.

Mr. Rask showed an image of the townhome elevations.

Commissioner Kimble asked the townhomes were for sale or for rent.

Mr. Rask indicated all of the townhomes are for sale.

Commissioner McGehee asked what the estimated price point was for the townhomes.

Mr. Rask indicated these will start around \$300,000 to \$350,000. Most will be around \$340,000.

Public Comment

Mr. David Gapen, 2837 Churchill Street, explained the end of the cul-de-sac will be at the end of his property and he was concerned about the angle over of block 4, unit 1 where it is right up to the setback. He thought what that will mean is that someone's front door is right up to the setback behind his backyard. He noted this is a heavily wooded area right now. The units site up pretty high so he will have someone's front facing pad overlooking his backyard. He would really to encourage

the developer to reconsider the fencing issue because there is existing fencing, but it is not a privacy fence.

Mr. Lloyd explained there would be a screening requirement along the eastern property boundary.

Ms. Clare Sorman, 2837 Churchill Street, indicated her family moved to the area from Minneapolis four years ago because of the great school district and community at large. She noted she was not against development as long as it meets city code and allows for maximum green space and fits into the integrity of the surrounding neighborhood. This project does seem to take a lot of details into consideration which she appreciated from what was reviewed. She was concerned that the construction will disrupt their daily lives considerably because her and her husband are both working from home and are home 24/7 with two small children who are also spending a considerable amount of time in the backyard. She explained she was concerned for her children's safety, especially the elevation change and the grading percentage from the backyards to the development area. She requested the developer do not set aside the current residents concerns and consider their requests for construction of a reasonable privacy fence.

Mr. Allen Carrier, 1040 County Road C2, explained his concern was with the number of townhomes that there is only one exit out of the development. He thought there should be another exit with all of the homes being developed. He indicated the intersection at Lexington is getting worse all of the time and getting to be dangerous.

Ms. Gundlach indicated Ms. Sorman typed in a comment in the chat feature. "Ms. Sorman agreed with Mr. Carrier and what Ms. Pribyl brought up about pedestrian traffic on County Road C2. Please consider figuring out a way to make this area safer by adding a sidewalk or path on C2, especially given the mass amount of traffic this area sees in nicer weather. If not a sidewalk, then perhaps a traffic light. All this added population density is going to make that particular area less safe".

Mr. Pavek addressed the fence concern. He explained fences are tricky things when it comes to who wants them and who does not. Sometimes people think it is great for some privacy and some think it is just a big, ugly fence. He is happy to continue a conversation with the owners along that side and see what the real motivation is for a fence. If it is more safety, would a chain link fence be appropriate or is it more for privacy. As far as traffic concerns, his company has been working closely with the city engineer and the county traffic engineers and they have pretty firmly directed them that the safest place for traffic is onto County Road C2 to that intersection and his company concurred with that recommendation.

Ms. Kelly Donahue indicated she will send an email to the city regarding this item.

Chair Gitzen closed the public portion of the meeting as no one else wished to address the Commission.

Commission Deliberation

Member McGehee commented she was appreciative of the developer's willingness to work with the residents, but because of the closeness of the homes to each other she wondered if there is anything in city code about some sort of construction fencing along the side as a safety measure, something that is not permanent.

Mr. Lloyd explained construction fences for safety are absolutely routine, but he was not sure what the building code requires during a construction project.

Commissioner McGehee asked if the city had any other type of sound limitations seeing that people are now working from home.

Mr. Lloyd explained outside of working hours and during the daylight hours morning to evening, there is not really much the city has for requiring construction noise.

Ms. Gundlach reviewed the city noise standards with the Commission. She noted the city Council could consider changes to the Ordinance, if so desired. She knew a lot of cities are looking at temporary restrictions in light of COVID and could be brought to the Council's attention.

Ms. Gundlach noted Ms. Sorman submitted another comment "In response to Mr. Paveck's comments about the fence, our motivations are less aesthetic and more about safety and ask to take precaution because of our small children. We would be willing to talk to the developer about who would do it and what it would look like but please consider our concerns. This has nothing to do with us trying to get a free fence but rather a courtesy we believe should be extended to those of us residents whose lives will be undoubtedly disturbed during the construction phase. Also, it would be considerate, given that the back decks will likely look straight onto our backyards."

MOTION

Member McGehee moved, seconded by Member Kimble, to recommend to the City Council approval of the proposed Subdivision Variance and Lexington Woods Preliminary Plat, based on the content of this RPCA, public input, and Planning Commission deliberation with the conditions as outlined in the staff report for (PF20-003) and review the fence and traffic issues and to begin to think about construction noise throughout the city and see what other cities are doing.

Ayes: 7

Nays: 0

Motion carried.

- b. Consideration of a Request to Amend Planned Unit Development 1177 (Centre Pointe Business Park) Revising The Veritas Maser Site Plan (PF20-005)**
Chair Gitzen opened the public hearing for PF20-005 at approximately 7:48 p.m. and reported on the purpose and process of a public hearing.

City Planner Paschke summarized the request as detailed in the staff report dated May 6, 2020.

Commissioner McGehee thought there was a reasonable buffer between the new building and the pond. She asked if the pond was a stormwater pond or a naturally occurring pond.

Mr. Paschke thought it was a stormwater pond and has been in place since the early 2000's when the Veritas office building and site were developed. He believed it is shared with MNDOT.

Mr. Mark Davis, 33 South 6th Street, applicant, addressed the Commission.

Public Comment

No one came forward to speak for or against this request.

Chair Gitzen closed the public portion of the meeting as no one else wished to address the Commission.

Commission Deliberation

None.

MOTION

Member Kimble moved, seconded by Member McGehee, to recommend to the City Council approval of the requested Planned Unit Development amendment for 2815 Centre Pointe Drive, modifying the Veritas master site plan to eliminate two office buildings, four stories in height and encompassing 122,000 square feet and replacing the master site plan with a single office building on a separate lot, three stories in height and 55,000 square feet in size. The proposed development will be required to achieve compliance with the standards outlined in PUD #1177, as amended in 2019. (PF20-005).

Ayes: 7

Nays: 0

Motion carried.

c. Consider a Request to Amend City Code Section 1011.04.J.8 related to Tree Replacement Locations

Chair Gitzen opened the public hearing for PF20-003 at approximately 8:00 p.m. and reported on the purpose and process of a public hearing.

Community Development Director Gundlach summarized the request as detailed in the staff report dated May 6, 2020.

Commissioner Sparby thought these are really positive changes and hit at the issue the city had and he would support the changes and commended staff for coming up with these changes and proposing them to the Planning Commission.

Commissioner Pribyl echoed Commissioner Sparby's comments. She commended staff and the Council's efforts in taking a look at this.

Public Comment

No one came forward to speak for or against this request.

Chair Gitzen closed the public portion of the meeting as no one else wished to address the Commission.

Commission Deliberation

None.

MOTION

Member Sparby moved, seconded by Member Schaffhausen, to recommend to the City Council adopt the draft Ordinance proposed by staff, amending Section 1011.04.J.8 of the Tree Preservation and Restoration Ordinance, revising the requirements related to the Tree Replacement Locations.

Ayes: 7

Nays: 0

Motion carried.

8. Adjourn

MOTION

Member Pribyl, seconded by Member Kruzel, to adjourn the meeting at 8:12 p.m.

Ayes: 7

Nays: 0

Motion carried.