

4.01.1: Planning Commission Meeting Minutes Dated September 5, 2013

Motion by Commissioner VanScoy, seconded by Commissioner Maul, to approve the following minutes as presented: Planning Commission Meeting Minutes dated September 5, 2013.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners VanScoy, Maul, Bauer, Brauer, Field, and Nosan. Voting No: None. Absent: None.

5. PUBLIC HEARINGS/COMMISSION BUSINESS

5.01: Consider Request for Site Plan approval for a Building Expansion on the Property Located at 6820 143rd Avenue NW; Case of Molin Concrete Products Company

Presentation

Planning Consultant Goodroad presented the staff report noting Molin Concrete Products Company was requesting Site Plan approval to begin concrete product production on site with a 10,000 square foot addition to the existing 60,092 square foot facility located at 6820 143rd Avenue NW. Staff discussed the plans in further detail and recommended the Commission approve the Site Plan contingent upon compliance with the City Staff Review File dated September 27, 2013.

Commission Business

Matt Westgard, Molin Concrete Products Company, thanked the Commission for considering his request this evening and for the thorough report from staff. He explained the intent of the building expansion would be to match the exterior of the current building.

Motion by Commissioner Bauer, seconded by Commissioner Maul, to recommend that City Council approve the Site Plan submittal contingent upon compliance with the City Staff Review File dated September 27, 2013.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Maul, Brauer, Field, Nosan, and VanScoy. Voting No: None. Absent: None.

5.02: Public Hearing: Request for Sketch Plan Review and Preliminary Plat Approval for Brookfield 4th Addition; Case of Capstone Homes

Public Hearing

Chairperson Levine called the public hearing to order at 7:15 p.m.

Presentation

Development Services Manager Gladhill introduced the staff report stating the applicant is requesting Preliminary Plat approval for Brookfield 4th Addition.

Planning Consultant Goodroad explained this plat is a continuation of the Brookfield Addition west of Nowthen Boulevard and generally north of 167th Avenue and will encompass a majority of the remaining lots from the original Preliminary Plat. The current Preliminary Plat includes seventy-seven (77) lots.

Development Services Manager Gladhill discussed the agreed upon features from the Brookfield Homeowners Association (HOA), which included landscaping along Nowthen Boulevard, within the cul-de-sac and a fountain within the water feature. He commented these amenities were not required by the City. It was noted the proposed 77 lots would have the option to participate in the HOA. He reported the City would be willing to assist in the planning of these amenities, but the maintenance and expense would be the responsibility of the HOA.

Development Services Manager Gladhill reviewed the request in further detail and recommended the Commission approve the Preliminary Plat for Brookfield 4th Addition contingent upon compliance with the Staff Review File dated September 27, 2013.

Citizen Input

This evening the attached letters were received from Joseph Newfeld, Tammy Sorens, and Christine Coocluck.

Patrick O'Brian, 6915 169th Lane, explained he has lived in the Brookfield development since 2009. He discussed the changes that have occurred to the HOA since the developer, John Peterson, went bankrupt. His main concern was that dues were now voluntary and the association had no money. It was his hope that the new developer would assist the current HOA to bring the entire development together.

Terry Rain, 6920 170th Avenue NW, commented he was hoping to see this development work. He discussed the defects in the current bylaws that needed to be repaired for legal reasons. He stated the Brookfield homeowners were willing to work with the new developer.

Ben Minks, 17024 Barium Street in Andover, explained he was looking forward to building homes in Ramsey again. He indicated he did not understand all of the legalities and costs involved in resolving the HOA's concerns. However, he was willing to work with the current homeowners to find an amicable solution.

Development Services Manager Gladhill commented that the City was willing to facilitate conversations between the HOA and the developer.

John Hood, 6920 170th Trail NW, stated he has lived in the Brookfield development for the past five years. He wanted to see his neighborhood flourish and was looking forward to resolving the bylaw issues with Mr. Minks.

Sasha Albert, 7046 170th Trail, explained she was new to Brookfield and mentioned the HOA has been discussed in detail. She requested the City more closely monitor littering, noise restrictions and the speed of traffic in her neighborhood given the high level of construction activity.

Ms. Albert questioned how the outlots near Brookfield would be developed.

Development Services Manager stated there were preliminary indications that 21st Century Bank would convey one outlot to the City for a trail connection. The additional outlot may be conveyed to the HOA, when properly licensed with the State, for future park development.

Renee Blue, 16983 Garnett Street, commented her husband mows the cul-de-sac, which keeps here portion of the neighborhood looking nice. She clarified that a covenant was recorded by the neighborhood.

Development Services Manager Gladhill indicated this covenant was recorded with Anoka County and not with the City of Ramsey. He explained that the declaration of restrictive covenants went hand in hand with the development and served as an agreement among the property owners. This document was to assist the homeowners association in managing the properties and amenities within the development.

Ms. Blue stated there has been a breakdown in communication as she was not made aware there was a homeowners association in the Brookfield neighborhood.

Development Service Manager Gladhill reported he would assist the homeowners in tracking down the documentation on file with Anoka County.

Ms. Albert was told there was no homeowners association or covenants in place when she recently purchased her home in Brookfield.

Commissioner Field was appreciative that Capstone Homes was willing to work with the homeowners on the homeowner's association issue. He indicated the homeowners would have to work to validate the association and update their bylaws.

Curt Anderson, 16784 Olivine, stated there was currently no association or park in this neighborhood. He recommended that the park be pursued by the City due to the fact 77 additional lots were being developed.

Development Services Manager Gladhill indicated park dedication requirements would be discussed by the Park Commission at their next meeting. He stated the Planning Commission could discuss this matter and comments would be passed along to the Park Commission.

Commissioner VanScoy asked if staff knew the original intent of the park for this neighborhood.

Development Services Manager Gladhill explained the park was to be developed privately.

Mr. Rain stated he has lived in Brookfield for the past six years. He explained that the association had hired an attorney in the past and there were some conflicts between the homeowners understanding and that of the bank. He indicated the association did not have the funding to hire another attorney for a second opinion. He encouraged the developer to work with the homeowners to resolve the concerns and requested the water feature remain.

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, VanScoy, Brauer, Field, Maul, and Nosan. Voting No: None. Absent: None.

Chairperson Levine closed the public hearing closed at 8:09 p.m.

Commission Business

Commissioner VanScoy asked if the developer had any concerns with the Staff Review letter.

Mr. Minks had no concerns with the letter.

Commissioner Field was pleased that a number of the mature trees would be maintained as a buffer for the existing residents. In addition, a trail connection would be completed with this development.

Commissioner Bauer indicated the hearing this evening brought to the surface the issues the homeowners have had with their association. He encouraged all parties to continue to work together to resolve this matter. He thanked the developer for his willingness to assist.

Commissioner Brauer recommended the water feature/pond be the responsibility of the homeowners and not the developer.

Development Services Manager Gladhill explained the water feature was a stormwater pond that benefited the entire development. He reported the City has a drainage and utility easement to provide access to the stormwater pond. He commented the homeowners would be responsible for maintaining the liner in the pond.

Commissioner Nosan questioned why the homeowners wanted to have an association in place.

Mr. Minks understood that the association would like assistance with the maintenance of the main entrance, the water feature and to complete the private park.

Brad Demry, 7224 170th Trail, indicated he was a part of the original association and wanted to see it reinstated to ensure the neighborhood was well maintained, while also putting teeth behind the original covenants.

Motion by Commissioner Field, seconded by Commissioner VanScoy, to recommend that City Council approve the Preliminary Plat for Brookfield 4th Addition contingent upon compliance with the Staff Review File dated September 27, 2013.

Further Discussion

Commissioner Brauer recommended truck traffic not run up and down Garnett Street.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Field, VanScoy, Bauer, Brauer, Maul, and Nosan. Voting No: None. Absent: None.

5.03: Receive Update on Housing Assistance Policy Progress

Presentation

Planning Consultant Goodroad presented the staff report and updated the Commission on the progress of the Housing Assistance Policy work completed by the ad-hoc sub-committee. She noted the committee has met three times over the course of the past several months with the purpose of establishing a framework in which to review requests for financial assistance for housing projects. It was noted the Council recommended a policy be created in order to ensure the City had an equitable and fiscally responsible application to housing assistance. Staff reviewed the policy in detail and requested comment from the Commission.

Commission Business

Chairperson Levine asked how the City's proposed policy compared to the policy in place by Anoka County. He recommended that the City's policy be compatible with Anoka County's.

Planning Consultant Goodroad commented most of her conversations with Anoka County were through email. It was her understanding Anoka County was working to provide assistance for the 50-60% threshold, and the City's policy would track the County's.

Commissioner Brauer supported the proposed policy.

5.04: Discuss Minnesota Department of Natural Resources (DNR) Rulemaking for Mississippi River Corridor Critical Area (MRCCA/Critical Area)

Presentation

Development Services Manager Gladhill presented the staff report noting the Minnesota Legislature authorized the Minnesota DNR to commence rulemaking related to the Mississippi