

Motion by Commissioner VanScoy, seconded by Commissioner Maul, to approve the following minutes as presented: Planning Commission Meeting Minutes dated December 4, 2014.

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

## **5. PUBLIC HEARINGS/COMMISSION BUSINESS**

### **5.01: Public Hearing: Consider Request for Sketch Plan and Preliminary Plat Review of Brookfield 5<sup>th</sup> Addition; Case of 21<sup>st</sup> Century Bank**

#### **Public Hearing**

Chairperson Levine called the public hearing to order at 7:03 p.m.

#### **Presentation**

City Planner Anderson presented the staff report stating the 21<sup>st</sup> Century Bank has submitted an application for Sketch Plan and Preliminary Plat for a proposed minor plat known as Brookfield 5<sup>th</sup> Addition. The minor subdivision proposes to re-plat approximately 0.31 acres to create one (1) buildable single-family lot. The proposed plat would not reconfigure existing property lines. The proposed subdivision would convert an existing outlot to a buildable lot. The property is generally located west of Nowthen Boulevard along Feldspar Street. This item was previously considered by the Planning Commission at a public hearing in August of 2014. At that time, the Commission continued the public hearing to the September meeting to provide additional time for the applicant to address concerns identified by staff. Prior to the September meeting, the applicant contacted the City stating that they desired to postpone the public hearing to afford them more time to work with the adjacent residents on a potential sale of the property. Recently, the applicant notified the City that an agreement on the sale of the property could not be reached and subsequently resubmitted an application for Sketch Plan and Preliminary Plat for Brookfield 5<sup>th</sup> Addition. Staff reviewed the request in detail and recommended approval of the preliminary plat contingent upon obtaining variances to the cul-de-sac standards and the front yard setback and upon compliance with the Staff Review Letter dated January 2, 2015.

City Planner Anderson also reported that this current submittal addresses three primary concerns: density transitioning; drainage and utility easements; and providing the actual home footprint overlaid on the lot. He stated that the applicant has addressed all of these concerns. Anderson also noted that Staff is developing policy for future requests of this nature.

Matt Soens, 16878 Feldspar Street, stated he was speaking on behalf of his family and his neighbors to the North. He stated that the neighborhood feels this proposal deviates from Brookfield 1<sup>st</sup> Addition; the request for the setback is going to infringe on the neighbors to the North; and that if the easement is granted, the neighborhood wants the city to do something about the temporary cul-de-sac. He requested that the city improve the cul-de-sac to make it a proper cul-de-sac.

City Planner Anderson stated that the cul-de-sac does meet the temporary cul-de-sac requirements. He also stated that he has discussed the condition of the cul-de-sac with the City Engineer who has stated that the road has been maintained no differently than other public roads.

Mr. Soens talked about a sidewalk that does not meet minimum standards.

City Planner Chris Anderson replied that according to the city engineer, the sidewalk is compliant with current ADA standards.

Bill Dorn, attorney for Century 21<sup>st</sup> Bank, spoke about posting a security to cover road repairs needed after construction; the previous developer being required by ordinance to put a stub road in; the precedent set by the approval of Alpine Woods 3<sup>rd</sup> Addition; the proposal meeting the standards of Brookfield 1st Addition; and, their unsuccessful attempt to work out a sale with the neighborhood. He asked the city to let them move forward.

Gary Smith, 16821 Garnett Street, spoke about his desire not to sell his property. He would like the City to listen to residents when they say they do not want to sell to avoid situations like this. He did not want to see a temporary cul-de-sac as this would not meet the full requirements of a permanent/full cul-de-sac and special exceptions would be needed to build a home.

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

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

Discussion took place regarding setback variances; the potential of putting a house pad on this lot without a variance; meeting fire and public safety requirements; basing a decision on where the cul-de-sac might be in the future throwing another lot out of compliance; deviations being reviewed by the City's Public Works department; limited turn-around space; a setback affecting the existing berm; a future policy to require a full cul-de-sac; the lot being a buildable lot without a variance; the dedication of a right of way for the lot in question; the temporary easement size; the impact on the status of the cul-de-sac if the proposal is approved; viewing the cul-de-sac as permanent and the effect on surrounding property owners; the berm issue and upgrading the cul-de-sac being forwarded to the Public Works Committee; and house placement for this lot coming back to the Planning Commission for approval.

### **Commission Business**

Motion by Commissioner VanScoy, seconded by Commissioner Maul, to recommend that City Council adopt Resolution #15-01-012, granting approval of the Preliminary Plat contingent upon obtaining variances to the cul-de-sac standards (design and construction) and the front yard setback and upon compliance with the Staff Review Letter dated January 2, 2015. VanScoy added a recommendation that this cul-de-sac be brought up to permanent standards.

Community Development Director Gladhill suggested a friendly amendment to remove the variance language from the motion and handle it in a separate resolution if a variance is needed.

Commissioners VanScoy and Maul agreed to the offered friendly amendment.

**Further Discussion:**

The Board discussed the importance of making the cul-de-sac a permanent cul-de-sac.

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

**5.02: Public Hearing: Consider Ordinance #15-01 Approving a Zoning Amendment for R-1 Residential (MUSA) at 15153 Nowthen Boulevard NW; Case of the City of Ramsey**

**Public Hearing**

Chairperson Levine called the public hearing to order at 7:55 p.m.

**Presentation**

Development Services Manager Gladhill presented the staff report stating the purpose of this case was to adopt a Resolution to approve a Zoning Amendment for the former municipal center located at 15153 Nowthen Boulevard NW. The site is currently being used as Fire Station #2. The City Council previous adopted a Comprehensive Plan Amendment to allow for this subsequent Zoning Amendment on October 28, 2014. The City has been exploring future redevelopment options for this site over the past 12 to 18 months. It was noted there was not a development proposed at this time and the rezoning would begin the process to ultimately allow the property to be redeveloped at a later date. Staff reviewed the findings from a Study Group that focused on the potential for a data center on this site and recommended the Commission adopt Ordinance #15-01.

**Citizen Input**

Kristen Kimsey, 5722 152<sup>nd</sup> Way NW, asked, on behalf of herself and her neighbors, for a park and pond to be extended running east/west to act as a buffer if a residential area was built.

Development Services Manager Gladhill commented that this would be taken into consideration in the City's planning. He cautioned that the City could not promise a water level in a pond.

The Commission reviewed a map of the area and discussed what residents were told the land would be used for when they bought their homes.