

5.02: Public Hearing: Consider Resolution #20-114 Approving Preliminary Plat for Hampton Homes (Project #19-140): Case of Platinum Land LLC

Public Hearing

Chairperson Bauer called the public hearing to order at 7:19 p.m.

Presentation

City Planner Anderson presented the staff report stating that staff recommends approval of the Preliminary Plat with one or more of the following contingencies:

- Compliance with the Staff Review Comments
- Completion of a noise study prior to final action by the City Council
- Incorporation of northbound and southbound turn lanes on Nowthen Boulevard at 146th Avenue

City Planner Anderson stated that this would help address the concerns that have been raised both by the public (traffic) as well as Anoka County (noise). The Preliminary Plat does address the other major concern which was tree preservation and density transitioning. The subject property is zoned and guided for the proposed product and density. Based on the feedback over the years concerning Nowthen Boulevard and public comments specific to this project regarding traffic, staff supports this alternative with all three contingencies.

Chairperson Bauer asked why the developer would be made to pay for the turn lanes when there are more residents outside of the development causing the problems with traffic at the intersection.

City Planner Anderson replied that Nowthen Boulevard has been identified as a concern and there will be a corridor study done in 2020 or 2021 to review the improvements that could be made throughout the corridor. He stated that project will add additional vehicular traffic to the road, and this is an opportunity to start to address some of the concerns with the roadway.

Chairperson Bauer stated that he understands the concern but asked why that would be an expense of the developer and not the City.

Deputy City Administrator Gladhill stated that when there is an increase in demand because of a new project, the improvement is the responsibility of the developer. He stated that because this is a County road, the City could not assess any other properties other than this property because of the right-of-way. He stated that there are safety issues on Nowthen Boulevard that need, and should be addressed, noting that if the Commission believes that the City should cost share a portion of the improvement that recommendation could be made.

Chairperson Bauer stated that he previously lived north of the intersection and even at that time, two years ago, there was an issue with the turning traffic at that intersection and vehicles bypassing on the shoulder. He stated that this is a problem that has existed for years and therefore while he believes that this improvement is needed, he does not believe that this is the responsibility of the developer.

Citizen Input

Craig Jochum, representing the applicant, stated that they appreciate the residents and the City's concern with the intersection and turn lanes. He stated that while he does not disagree that the area would benefit from turn lanes, it would not be fair to place that improvement on this project which is four developable acres and would cause the project to be cost prohibitive. He stated that the developer would be willing to pay their share for the improvement, but it would not be fair to place the entire cost upon this development.

Commissioner VanScoy asked the percentage the developer would feel comfortable contributing to the improvement.

Mr. Jochum stated that he had not completed the calculations but suggested perhaps 20 percent, noting that this parcel would be about 10 percent of the area using the turn lane and 20 percent of the traffic.

Chairperson Bauer asked if staff is aware of the cost to make the improvement.

Deputy City Administrator Gladhill stated that cost is not yet known. He stated that the Commission could state that they would support the turn lane improvement with the developer paying their pro rata share.

Alena Hunter, 14628 Helium Street NW, stated that the City really does need to look at Nowthen Boulevard and the turn lanes. She stated that she fears that this would get to the situation where the City refuses to fund a portion of the improvement as a cost-share which would push the project years down the line. She commented that intersection is a dangerous area and adding additional homes and traffic in that area will only increase the problem further as that would be the only way into the neighborhood. She stated that the turn lanes are needed but recognized that it will be a matter of who pays for the improvement. She hoped that the City and developer could come to an agreement and would like to see the improvement installed as a part of the project. She thanked the developer for incorporating suggestions that were made with the landscaping and buffering.

Chad Lindgren, 5561 145th Circle NW, stated that the developer has listened to the concerns and worked hard to incorporate the suggestions. He stated that the turn lane is essential, whether it was caused by existing traffic or this project, this is an opportunity to complete the improvement. He stated that the use of the trail will change and there will need to be something done at 146th. He referenced the noise study, stating that there is not a lot of room to complete something if that is needed. He hoped that the results of the study would be known soon to ensure something could be included in the project, if needed. He appreciated the developer hearing the concerns but commented that it is unfortunate that this is the second meeting the developer has been unable to attend.

Mandy Erlandson, 5640 146th Avenue NW, stated that she appreciates that representatives from the applicant are participating in the meeting but shared the concern that this is the second meeting that the developer has not participated in. She stated that seems to send the message that the

developer is not concerned with the comments of the residents. She echoed the comments that have been made by the previous residents. She stated that she is very concerned with the increase in traffic and safety concerns. She stated that she is also concerned with the noise, noting that her biggest concern would be that the noise is not mitigated and would prevent people from wanting to purchase the townhomes. She stated that concern was brought forward by multiple residents at the meeting in February. She commented that the townhomes are close to the road and with possible noise issues, the residents in the area are concerned that the townhomes would remain vacant. She stated that the existing residents want to ensure that the product constructed would be desirable and attract new residents.

Chairperson Bauer asked the number of units that could be built under the zoning compared to the number of homes proposed in this project.

City Planner Anderson replied that the zoning would allow for four to seven units per acre. He stated that this project proposes about six units per acre, with 26 attached townhome units.

Ms. Hunter asked if the City is able to require that the items discussed would be resolved prior to construction beginning, such as the noise mitigation and traffic improvements. She stated that there are homes across the street from her home that abut County Road 5, which act as a noise buffer for her property. She commented that noise mitigation will be huge for the residents in the proposed development. She stated that perhaps trees and fencing be used to mitigate that noise and hoped that those could be included in the project along with the turn lane to ensure that those items are completed.

City Planner Anderson commented that a noise study would need to be completed before final approval of the project could occur to ensure that any mitigation efforts could be included in the project. He stated that if there is a cost-share with the developer for the turn lane improvement, that would still be done as a part of this project. He confirmed that all of the items would be fully resolved prior to construction beginning.

Commissioner VanScoy stated that he agrees that there is an issue with the turn lanes and would like that addressed. He questioned the need for the noise study. He asked if a sound study was required for the townhomes to the southeast, as this seems to be a similar project.

Deputy City Administrator Gladhill stated that it is common to require a noise study for any project on a County/State highway. He stated that the project to the southeast also completed a noise study and made some alterations to their building in order to mitigate noise, along with other measures. He commented that the mitigation along Nowthen Boulevard are typically small compared to those properties adjacent Highway 10.

Commissioner Anderson referenced the cost of the turn lanes, which could be \$100,000 or \$200,000, and asked if the County would contribute a portion of the improvement cost as it is a County road.

Deputy City Administrator Gladhill stated that if the improvement is a reaction to a development proposal, it would be up to the City and developer to fund the improvement. He stated that if the

improvement is associated with a long-term study of the corridor, the County could be a partner but noted that the improvement would then not occur for many years.

Commissioner Anderson asked if the City is allowed to make changes to a County road.

Deputy City Administrator Gladhill replied that the City can gain approval for turn lanes from the County.

Ms. Erlandson stated that it seems that it would be appropriate for the noise study to be done, whether it has been a protocol in the past. She commented that this development has very little wiggle room in terms of the available space and layout and therefore wanted to ensure that the proper mitigation elements could be included in the plan. She stated that there are multiple exits she can use from her property and was concerned about the traffic impacts that would occur during construction for existing residents.

Chairperson Bauer recognized that there would be construction traffic during any project.

Motion by Commissioner Peters, seconded by Commissioner Anderson, to close the public hearing.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Woestehoff	aye
Chairperson Bauer	aye
Commissioner Johnson	aye
Commissioner Anderson	aye
Commissioner Gengler	aye
Commissioner VanScoy	aye

Motion Carried.

Chairperson Bauer closed the public hearing closed at 8:07 p.m.

Commission Business

Motion by Commissioner VanScoy, seconded by Commissioner Woestehoff, to recommend that City Council adopt Resolution #20-114 approving Preliminary Plat for Hampton Townhomes with the conditions noted in the staff report and the added condition that the City work with the developer to cost-share the turn lane improvement.

A roll call vote was performed:

Commissioner Woestehoff	aye
Commissioner Johnson	aye
Commissioner Peters	aye

Chairperson Bauer	aye
Commissioner Gengler	aye
Commissioner Anderson	aye
Commissioner VanScoy	aye

Motion Carried.