

6.02: Public Hearing: Consider the Sketch Plan/Site Plan for Serenity at Rivers Edge (Project No. 26-101): Case of Rivers Edge Development LLC

Public Hearing

Chairperson Gengler called the public hearing to order at 6:42 p.m.

Presentation

Senior Planner Anderson presented the staff report stating that staff recommends approval of the Sketch Plan and Site Plan, contingent upon the applicant successfully obtaining a variance to the standard tree inventory process.

Commissioner Musgrove commented that the other homes look to be staggered and asked if the new homes would also be staggered.

Senior Planner Anderson confirmed that is accurate.

Citizen Input

Doug Paulson, applicant, 10550 Mississippi Blvd NW, Coon Rapids, commented on his experience in the building industry. He commented that these are gorgeous lots, along the river, and they are going to try to build something nice to reflect that.

Chair Gengler asked if the applicant agrees to the recommendation of staff to move the homes to the yellow line as recommended by staff.

Mr. Paulson replied that he does not agree with that, as it will cause more tree removal. He stated that he will build the home where it needs to be, but would prefer the other placement that would not have as much tree removal.

Bill Hillyard, 13711 Dolomite Street NW, stated that this is a beautiful piece of land. He stated that if it is going to be developed, he likes this plan as it does not encompass as many of the minimum density standards that have been developed in this neighborhood. He agreed with the applicant that there are areas closer to the river that naturally have fewer trees and would not require the same level of removal.

Commissioner R. Bauer asked how rigid the rule is to move the building pads to the yellow line in order to preserve more trees.

Senior Planner Anderson stated that he is in favor of protecting and preserving as much of the tree cover as they can. He believed that it would require a variance to deviate from the maximum allowed front yard setback and the prevailing setback pattern. He commented that there may be a valid justification if the home pads could be moved to an area that would require less tree removal, but it would need to go through the variance process.

Commissioner R. Bauer asked if a variance would need to come back or whether the recommendation for a variance could be made at this meeting.

Senior Planner Anderson replied that the tree inventory methodology will come back to the Planning Commission, and a variance request could be coupled with that request. He stated that part of the motion tonight could be to direct the applicant to seek a variance for the house pad location.

Commissioner Musgrove asked to clarify that it would not affect the vote that we are asking for tonight in regards to approval of the site plan.

Senior Planner Anderson replied that maybe as part of the motion, direct the applicant to seek a variance for the alternative house pad locations.

Connie Zaiets, 13659 Dolomite Street NW, wanted to ensure that if this plan is approved, they would not end up with more homes being built than what is proposed. She explained that her concern was with the number of lots that would be built behind their home. She commented that currently they only have one neighbor behind them and had concerns with privacy if a large number of homes are built. She asked if there would be an HOA, how this would impact her property taxes, and expressed concerns with traffic and safety.

Senior Planner Anderson stated that there will be a total of nine lots when the property is fully developed. He stated that all of the lots along Dolomite will have one neighbor to their east. He stated that the two lots in orange are what are being proposed with this application, and the remainder will be placed into an outlot until the time the applicant comes forward for a future subdivision request.

Mr. Paulson replied that there would not be an HOA and provided clarification on how the homes would be positioned on the shoreline.

Ms. Zaiets commented that she would not agree with that configuration. She stated that it seems to be a small area to have nine homes. She commented that she only has one neighbor now, and it seems odd to her that there would be nine homes added. Regardless if the homes are built north to south or west to east, she is not ok with it.

Chair Gengler stated that there would only be one neighbor/lot that backs up to her home.

Ms. Zaiets commented that they like the area because it is private and quiet. Her concern is having a bunch of people on the shore behind her home.

Senior Planner Anderson commented that this proposal continues the exact same development pattern that exists to the east.

Commissioner R. Bauer noted that these would be 80-foot-wide lots, which is what is allowed in the zoning district.

Senior Planner Anderson confirmed that the two lots being proposed tonight, as well as the ghost-platted lots that they are showing, all meet the minimum lot standards of 80 feet in width and 10,000 square feet or larger.

Ms. Zaiets asked to clarify how many houses will be right on the shore. She looked to Mr. Paulson for an answer. She is confused by what is being said by staff. She believes that you cannot fit nine houses there.

Mr. Paulson provided clarification to Ms. Zaiets on the proposed lot configuration. He explained how the property could have been proposed for development to have more lots that would have backed directly to the Dolomite lots, where this would have only one lot bordering along Dolomite.

Commissioner R. Bauer commented that there should be no impact on property taxes, as this is simply adding more residential homes to a residential area. He explained that property taxes are based on the value of a resident's home/property.

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

Motion Carried. Voting Yes: Chairperson Gengler, Commissioners Lubarski, R. Bauer, and Musgrove. Voting No: None. Absent: Commissioner N. Bauer.

Chairperson Gengler closed the public hearing at 7:09 p.m.

Commission Business

Motion by Commissioner R. Bauer, seconded by Commissioner Musgrove, to recommend that City Council approve the Site Plan and Final Plat for Serenity at Rivers Edge, contingent upon the applicant successfully obtaining a variance to the standard tree inventory process and maximum setback for the homes.

Further discussion

Councilmember Riley referenced the issue of the setback and asked if a different method of establishing a pattern was considered. Senior Planner Anderson explained that staff used the language within the Code to determine the line. Planning Manager Larson recognized that these will be custom homes, and they can have further discussions with the applicant as this continues to move forward to find the best placement for the homes. Commissioner Musgrove stated that the decision on home placement for these two lots may impact the home placement location for the remainder of the outlot. Mr. Hillyard believed that they should be more focused on the setback from the river than the setback from the road and voiced his support for the preservation of the large trees. Senior Planner Anderson provided additional information on the setbacks required from the river as well.

Motion Carried. Voting Yes: Chairperson Gengler, Commissioners R. Bauer, Musgrove, and Lubarski. Voting No: None. Absent: Commissioner N. Bauer.