

EAST BETHEL PLANNING COMMISSION MEETING
June 27, 2023

MEMBERS PRESENT: Chair Tanner Balfany, Glenn Terry, Sherry Allenspach, Sharon Johnson, Gabriel Hanschen, Randy Plaisance, and Joe Reiter

MEMBERS ABSENT: None

ALSO PRESENT: Jack Davis, City Administrator
Aaron Berg, Interim Community Development Director
Bob DeRoche, City Council Liaison

1.0 Call to Order

Chair Balfany called the Planning Commission regular meeting to order at 7:00 pm.

2.0 Adopt Agenda

Commissioner Reiter moved and Commissioner Johnson seconded to adopt the agenda as presented. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

3.0 Approve May 23, 2023 meeting minutes

Commissioner Reiter moved and Commissioner Johnson seconded to adopt the May 23, 2023 regular meeting minutes as written. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

4.0 Public Hearing: Conditional Use Permit – Designing Earth Contraction

Berg reviewed staff's report stating Designing Earth Contracting, INC., an East Bethel company for 16 years, has outgrown its current location and on June 9, 2023, JSN Ulysses Holdings, LLC, purchased two adjacent, 2 + acre, parcels of land, at 1282 187th LN NE, PIN: 32-33-23-21-0004 and PIN: 32-33-23-24-0011, in the Sauter's Commercial Park.

Berg noted a Concept Plan proposal was reviewed by City staff and presented at the May 23, 2023 Planning Commission Meeting. The proposal consisted of the construction of a new 19,000 square foot building for a Construction, Trade, and Service Business facility.

Berg stated the properties are Zoned (I) – Light Industrial and in accordance with Appendix A, Sec. 48 (4), Construction, Trade, and Service Business are permitted by a Condition Use Permit (CUP). Additionally, the CUP also regulates exterior storage.

Berg indicated the light industrial (I) district is intended and designed to provide areas of the city suitable for activities and uses that are industrial in nature. The proposed use aligns with the approved 2040 Comprehensive Plan.

Berg stated the next steps, if the CUP was approved, a formal site plan will be submitted for review and approval by the Planning Commission and City Council.

Berg recommended the Commission review the CUP request, hold a public hearing, and make a recommendation of approval to City Council, with the conditions set forth in attached Resolution 2023-47.

Balfany opened the public hearing at 7:09 p.m.

There were no comments made.

Balfany closed the public hearing at 7:09 p.m.

Commissioner Hanschen moved and Commissioner Allenspach seconded to open the discussion.
Balfany asked any discussion?

Hanschen stated this appeared to be a formality at this point.

Reiter stated his concern was potential dust that would go over the fence, but if they could be assured the dust levels would be kept down, he didn't see any problem with this.

Hanschen asked if vehicles would be stored outside once they were finished. Berg noted the existing location for Designers Contracting was right next door to the Hot Rod Shop on the south side, and they are also in an adjacent parcel currently.

Balfany stated he would not speak for the owner, but he seemed to be an agreeable and understanding person and he hoped they could be neighborly if there was any issues.

Berg pointed out that the Conditional Use Permit for storage was also included within the same application and materials. He asked the Commissioners if they were comfortable with the conditions in the Resolution regarding the exterior storage.

Hanschen responded that was kind of the point of their discussion and the last time this came up, there had been a big concern, especially with the Resolutions to change the Ordinances.

Reiter stated his perception of a construction yard was property that was under development – this was more of a construction business. Berg noted the Ordinance read that construction sales or construction services were in the same category. He noted whether they did construction, or stored equipment that was construction services. He stated construction sales would be the sales of material equipment for the purposes of the industry of construction.

Berg pointed out that the Ordinance revisions for exterior storage was approved at the last Council meeting also. However, they did not technically go into effect for 9 days, so these storage parameters were based on the new upcoming Ordinance as the upcoming Ordinances would be in effect when the CUP was approved in July.

Discussion closed by general consensus.

Commissioner Reiter moved and Commissioner Johnson seconded to recommend approval to City Council with the conditions set forth in the provided Resolution 2023-47, a Resolution approving a Conditional Use to allow the construction of a construction trade and service business with exterior storage. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

5.0A Site Plan Approval – Designing Earth Contraction

Berg reviewed staff's report stating Designing Earth Contracting, INC., an East Bethel company for 16 years, has outgrown its current location and has submitted an application for a site plan review for the construction of a new Construction, Trade, and Service Businesses facility, located on at 1282 87th LN NE. The proposal consists of the adding a 19,000 square foot building, consisting of 7,500 square foot, two story, office space and 11,500 square foot shop, with additional land for future expansion.

Berg stated with respect to zoning, the property is zoned (I) – Light Industrial, in which Construction, Trade, and Service Businesses is permitted by Condition Use Permit (CUP).

Berg indicated a site plan review is required prior to issuance of a building permit for new construction and is also required in conjunction with an application for a Condition Use Permit (CUP) as defined in Appendix A, Sec. 04, 12. – Site Plan Approval.

With respect to architectural design, Berg stated the City Staff have reviewed the proposed building exterior and determined that it is consistent with the architectural standards as defined in Appendix A, Sec. 28, 3. – Light Industrial (I) Zone.

With respect to the landscape Plan, Berg indicated City Staff have reviewed the proposed Landscape Plan and have determined that it exceeds the minimum landscaping code requirements as defined in Appendix A, Sec. 27, 3. C. - Light Industrial (I) Zone.

With respect to the lighting plan, Berg noted City Staff have reviewed the proposed Lighting Plan which is in compliance with Appendix A. – Sec. 26. – Lighting Regulations.

With respect to the parking plan Berg stated it includes a total of 45 parking spaces, divided up between 19 paved spaces for the office, 2 Handicap stalls and 24-yard stalls for the warehouse. This combination of spaces meets Appendix A. – Sec. 22. – Off Street Parking and Loading Requirements.

Berg recommended the Planning Commission review the site plan and make a recommendation of approval to City Council with the conditions set forth in Resolution 2023-48 and accompanied exhibits.

Commissioner Terry moved and Commissioner Balfany seconded to open the discussion. Balfany asked any discussion?

Johnson asked if they needed to add that this was conditioned upon the engineer's report. Balfany believed the way Berg worded it, he already had the verbiage in there. Berg responded that was correct.

Berg stated there was a lot of technical information with a lot of plans and information and he went through each one of those and the City Engineer would also review everything too.

Hanschen stated this was the first time he had seen a lighting display with respect to light pollution. Balfany noted this was the first time he had seen this in a packet as well.

Hanschen asked if the light was going to become a requirement. Berg responded this was a requirement under City Code, but this particular diagram was not a City Code requirement.

Discussion closed by general consensus.

Commissioner Terry moved and Commissioner Allenspach seconded to recommend approval to City Council with the conditions set forth in the provided Resolution 2023-48. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

5.0B Metes and Bounds Parcel split – 2863 221st Ave NE

Berg reviewed staff's report stating on June 15, 2023, Steve Strandlund Trustee, submitted an application for a Metes and Bounds split of a 39-acre parcel of land, located at 2836 221st Ave NE, PID:10-33-23-21-0001, into two parcels. The first parcel, the original family farmstead, will be divided off as a 5.66-acre lot and the remaining 34.16 acres will be subdivided at a later date as a future subdivision. The property proposed for the division is zoned Rural Residential and per City Code, Appendix A, Zoning, Section 42, the minimum lot size for any division is 2 acres.

Berg stated to be eligible for using metes and bounds divisions as outlined in Appendix A, Zoning, Section 12, the following conditions must be met:

- 1.) The parcel must be a minimum of five acres.
- 2.) The parcel must have a minimum road front of 300 feet.
- 3.) The parcel must contain 23,000 square feet of buildable area as defined in other portions of this ordinance.
- 4.) Appropriate road, public utility, and drainage easements, as outlined in Ordinance 151 as amended, must be dedicated to the city.
- 5.) Park and trail dedication fees as adopted by the city council by resolution must be paid at the time of city certification of parcel division.

Berg indicated this request for a metes and bounds parcel split meets the conditions as it is more than five acres, has over 300 feet of road frontage and has an existing primary residence which is in compliance with the remaining conditions.

Berg recommended the Planning Commission review this petition for a metes and bounds parcel split satisfies the requirements of City Code, Appendix A, Zoning, Section 12 and make a recommendation to City Council to approve the parcel split.

Commissioner Balfany moved and Commissioner Johnson seconded to open this up for discussion. Balfany asked any discussion?

Balfany thanked Berg for putting this together in a way that was understandable for them. He indicated he did not see any issues with it.

Reiter stated with respect to their City vision, this was slightly different than what the Ordinance stated. He indicated he had sent Berg some information on this.

Reiter stated the East Bethel 2040 Comprehensive Plan was the vision guidance on what they were trying to do with the City. He believed it was a promise to the residents on how to progress with development in the future. He noted the Comprehensive Plan tells the property owners what they could do with their land. He indicated the current 2040 guidelines for this property does not allow the property to be split into a minimum one unit per ten acres. He stated the proposal did not fit with the vision, and the assessment was splitting the property beyond the minimum 10-acre guidelines of the 2040 Comprehensive Plan and will result in suburbanization of rural areas protected under the 2040 Comprehensive Plan.

Berg noted Reiter was not correct in his acronym. He indicated the MUSA was the Municipal Urban Service Area, not the mixed-use service area. He noted the Municipal Urban Service Area was the future area upon which the Comprehensive Plan identified as potential to receive city sewer and water. He stated this parcel was far beyond the future use area in the corridor of Highway 65. Therefore, some of the guidance did not apply.

Berg stated in the Ordinance there was also a reference in the long-term Comprehensive Plan which identified that the rural residential designation allowed for an overall average of one unit per 10 acres. He noted higher densities might be achieved by utilizing the Met Council's flexible development guidelines. He stated the flexible development guidelines identified conflicts between the Comprehensive Plan and the existing City Ordinance, and the existing City Ordinance took precedent over the guidelines if there was a conflict. In addition, one unit per 10 acres, or the entire rural residential area of East Bethel. He noted if they defined the municipal boundary of East Bethel it was about 48 square miles. He guessed the density was much below one unit per 10 acres if the City encompass the entire rural residential area on both sides of Highway 65.

Reiter thanked Berg for the clarification and believed he was looking at one document and comparing it to the other. Berg understood Reiter's confusion. He noted although this is not in the 2040

Comprehensive Plan to reach this parcel down to 21st, it might be some time beyond 2040 if this was even considered a future use area just based on proximity to Highway 65.

Balfany noted in a few years they would be going through another Comprehensive Plan review also. Berg noted the Comprehensive Plan was a living document and not the law.

Berg stated if there were any questions regarding the Ordinance having a detached accessory structure prior to the primary residence, he had a conversation with the applicant about the garage, the barns, and the buildings that would be on the outside of this parcel division. He noted at a later date for the subdivision, those buildings would be disappearing and they would not be existing on a parcel prior to a primary residence. He indicated that was part of the process.

Hanschen inquired what made a metes and bounds parcel split different than a traditional parcel split. Berg explained the difference between the two.

Discussion closed by general consensus.

Commissioner Reiter moved and Commissioner Hanschen seconded to recommend approval to City Council the approval of the metes and bounds parcel split 632 121st Avenue NE. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

5.0C Concept Plan Review – 1788 Viking Blvd NE

Berg reviewed staff's report stating the Planning Commission is requested to review the concept plan for a Mixed-Use PUD as proposed by Capstone Homes, Inc. The development consists of approximately 173 acres, of which 115 acres are buildable, and is located at 1788 Viking Blvd NE. The developer has submitted an application and supporting materials for the proposed PUD.

Berg noted this large tract of property is located on land which spans across zoning classifications of Mixed Use, Single Family Residential and Rural Residential Districts. Over 70 percent, or approximately 123.00 acres, of the proposed development are located in the MXU, while 11 percent, or approximately 20 acres are in a Single-Family Zone, leaving 17 percent, or 30 acres in the Rural Residential Zone.

Berg stated according to City Code Section 56 - PLANNED UNIT DEVELOPMENT (PUD), Subsection D. – A Planned Unit Development is required in Mixed Use Districts in the city. Mixed use allows for commercial, residential, parks and open space and, as such, are in compliance with the East Bethel Comprehensive Plan.

Berg indicated the purpose of a PUD is to allow flexibility and variation from conventional ordinance standards in exchange for higher standards of development design and creativity, architectural control, natural resource protection, landscaping, public parks, public and private open space protection, pedestrian access, and multi-use corridor opportunities. The PUD provisions are also intended to promote the efficient use of land and promote cost-effective public and private infrastructure systems. Attachment 3 is City Code Section 56 – Planned Unit Development District.

Berg stated the Concept/PUD Plan Application was submitted to staff on Wednesday, June 21, 2023. Staff are in the process of reviewing the plan. Comments will be provided to the Planning Commission, the City Council, and the developer once the reviews are completed.

Berg noted a phased Concept Plan has been submitted for the entire PUD. The concept plan review should encompass the project as a whole, however, during the platting process, the PUD standards will be approved for phase 1. Future phases will require the PUD standards be amended if necessary to include new standards for each phase.

Berg stated the PUD Concept Plan is used to provide feedback to the developer through staff review, the Planning Commission and City Council.

Berg indicated as part of the preliminary review, staff has offered the following comments:

- Access – Ingress and egress to the development will be accessible from three locations, Viking Blvd. NE, Sandhill Parkway NE, and 189th Ave NE. The City Engineer, Public Works Manager and Anoka County Highway Department will be conducting a review of the street plans and will provide comments.
- Open Space - A primary function for a PUD is to encourage development that preserves and enhances the natural characteristics and valuable natural resources of a site and not force intense developments that use all portions of a given site to arrive at the maximum intensity or density allowed. Capstone has proposed over 50 acres of open green space within the 173 acres (115 buildable acres) of the development, which includes over a 1-acre community park space, in addition to walking trails and unique landscaped buffers.
- Streets – Streets and cul-de-sacs, along with utilities should be constructed in compliance with City Code Section 66 – 164 which requires that streets shall provide for future connections to adjoining un-subdivided land. Staff recommends that the streets be city-maintained public streets throughout the development.
- Housing - The plan consists of 350 new single-family homes in two neighborhoods. A combination of 45' and 65', single level, multi-level or two-story floor plans have been proposed.

- City Services

The plan indicates the new single-family homes will each be connected to the city sewer and water as a majority of the development is within the Metropolitan Urban Service Area (MUSA).

- Density – The plan consist of a density at 2.5 dwelling units per acre which is slightly lower than the 2040 Comprehensive Plan target of an average of 3 dwelling units per acre in the MUSA. (See attachment 2040 Comp Plan Table 3-4)
- Parks Commission

The Concept Plan will be placed on an upcoming agenda for the Parks Commission to review and comment.

- Next Steps

Based on the commentary relating to the concept plan, the developer will modify the plan as necessary and make application for the preliminary plat/PUD. At the time of preliminary plat, the PUD standards for Phase 1 will need to be determined.

Berg indicated staff is requesting the Planning Commission discuss the Concept Plan/ PUD and informally and advise the developer on adjustments to the proposal and plan.

Balfany opened the public hearing at 7:46 p.m.

Randy Johnson, 18816 Greenbrook Drive, Cedar, stated his concern was that he had to follow the rules when he built his place and he knew a large piece of this was rural and he wanted it to stay that way. He did not see a reason to change just because it was a development and he did not want to see it disappear.

Allenspach stated her concern was the traffic going up and down.

Phil and Patty Affolten, 2030 189th Avenue NE, stated their property back up to this property. He stated he wanted to see it stay rural residential. He noted when they bought their property they wanted to live in a rural community and they did not want to see multiple rooftops in their backyard. Secondly, they had not addressed the blind curve on 189th. He noted they had said that would be an emergency access, so would the access go all of the way through and would it be paved and if so, who paid for it. He stated if it was a through street, they were going to use it and right now with the golf course there were employees that used it and they went down it very fast all of the time. He also indicated if there was a 3-foot rule, which would also impact them.

Mr. Johnson stated the other issue was if City sewer and water would be brought down there and what was the likelihood of them having to tap into it.

Kyle Grandlund, 2043 189th Avenue NE, stated putting in the number of homes they were proposing was a lot and they liked it being rural. He stated he would not buy a home there and would consider moving further north and move out of the area.

Amy Knutson, 1623 Viking Boulevard NE, stated they would be directly impacted by looking at this every day. She asked where would the other access be located. She noted there were enough issues on Viking as it was. She expressed concern about traffic in front of their home. They indicated they had moved and had five acres for a reason and this would bring in a lot of people.

Carole Carlson, 1945 189th Avenue NE, asked if 189th was going to be only used for emergency vehicles. She noted in reality that would not be the case because everyone was going to find out about the road and they would all be using it due to there being only one access going in and out of there. She believed Viking Boulevard would probably need to be widened also because this would cause a lot of traffic. She was also concerned about the trail. She noted their family had lived on that land for 90 years and she would like it to stay rural with five acres, but she understood things change and get developed. She requested this have the least impact on them. She noted they were used to living in nature. She asked where phase one would be. She asked if 189th was paved would the construction company pay that. She stated they had wells and did not want to be on City water and sewer either.

Palee Yang, 2234 189th Avenue NE, stated their home was right at the corner of where they were going to build. She noted they liked their space, peace, and quiet. She noted her elderly parents lived with them and they liked to go outdoors and enjoy nature. She stated this was not something they signed up for and she did not like the idea at all. She indicated her parents were devastated to hear about this and to them culturally, it was not something they wanted to be involved in. She stated they want to keep the land the way it was and did not want any change.

Patty Affolten stated she had older children and when her kids went to the St. Francis School there were not enough teachers and the school bus company did not have enough drivers. She noted this would impact the School District. She recommended this be addressed in a condition.

Berg noted some of the concerns had a consistent theme. He noted the current City Code and zoning districts were zoned to allow for certain developments, densities, lot sizes, and combinations, so residents might be living next to a zoning different than what theirs was. He noted in terms of the use of the land, although the City had some regulation in use, it was a private real estate action and as long as the owner complied with zoning and City Codes, they would be allowed to do what they want with their land as long as it was in compliance with the Code.

Matt Barker, representing Capstone Homes, Inc., stated this was a large part of the discussion when they came to the City and asked what their zoning looked like in this region. He stated the mixed-use area had a lot of density opportunities, including commercial. He noted everything would be considered in their design.

Berg pointed out this was a 30-acre parcel and the current proposal's density was 3.04 dwelling units per acre. He noted the current Comprehensive Plan identified a density range of 2.25 to 4 units per acre under the low-density standard.

Hanschen stated 3.4 units equated to 3.4 homes. Berg explained how the 3.4-unit rate was determined. Reiter asked if that included the open and unbuildable space also. Barker, the developer, responded if they looked at the entire property they were looking to create a neighborhood which would come closer to 2 units per acre. He noted the 3.04 was based off the buildable acreage, but they were sectioning off some acres for open space, so the actual density would be closer to 2.2.

Reiter stated they were not going to see six or eight homes per acre in the lower density area. Barker the developer, responded in the R1, they would not be able to do that. He indicated they have chosen to go with their two single family products.

Berg noted with the traffic concerns, the developer was required to do an Environmental Assessment Worksheet, which also encompassed a traffic study. He indicated they had proposed City roads which would currently be adjacent to or toughing City roads. He noted the County Engineer, the City Engineer, and the City's public work staff were all working together on any roads and trails being proposed. He noted without having the traffic study done they don't have any facts to say 300 homes was going to produce how many cars at the intersection and how much more was needed.

Berg stated there would be some connection at 189th and staff was still working on that. He indicated in terms of the street plans, the Ordinance did require future connections to undeveloped lands. Barker, the developer, stated they had a long conversation and they would continue to rely on City staff and work with the County and State also.

Allenspach asked about access off Viking. Barker, the developer, responded the current driveway was very narrow, so they had to consider a different location to connect on to Viking be moved. Berg noted the County Engineer was going to determine whether the distance between intersections or driveways was acceptable.

Hanschen asked if City staff foresee any complications with the increase in density for the intersection of Viking and Highway 65 intersection. Berg responded that the traffic study was going to tell them a lot.

Berg stated with respect to sewer and water connections, the City was not in a position to require residents outside of the potential proposal to connect to sewer and water. He noted the City did not have the financial capacity to run enough City sewer and water liens to get to residents outside of was currently proposed and the developer was going to be responsible for providing all of the infrastructure for this development and it was not coming out of City funds.

Berg stated the Comprehensive Plan did not show any extension beyond the three quarters of a mile boundary. He indicated this was a very unique situation based on the land that was purchased by the buyer. He noted there were a number of complications and they were going to hear from the Met Council on some of them, as well as needing to amend the Comprehensive Plan to allow a Planned Unit Development to exceed the three quarter of a mile MUSA boundary.

Johnson asked who did the negotiation for a higher standard of development. Berg responded that ultimately landed on the City Council to come to an agreement with the developer. He indicated the purpose of this meeting was so if the Commissioners had any feedback, the developer would like to hear that feedback so when they come in with a preliminary plat, they don't need to pick and choose, pull too many things apart, or pull too many things apart because they will have a concept.

With respect to the school impact, Berg stated that was beyond the City's control. He understood teacher shortages was a nationwide problem and he understood the concerns about the impact to the school district. Allenspach noted when the City approved a development the School Board and School District was aware of those plans so they know what the potential was for incoming students in the future.

Balfany believed the School Districts were given funds from the State based on the number of residents also.

Barker, the developer, stated the other issue brought up was the phasing of the project. He indicated they were planning on phases that stretched several years – 5 to 7 years, so that gave some time for growth components within the School District to catch up with potential new students.

Terry asked if there was just one access for the homes on Viking. Barker, the developer, responded there were two access points with the main entrance on the north end and the second entrance on Sandhill.

Kyle Grandlund, 2043 189th Avenue NE, stated he did not believe Capstone's claims they were going to better the community was not going to be better for the City. He felt the owner of Capstone was a money hungry developer that needed to stay out of East Bethel.

Phil Affolten, 2030 189th Avenue NE, requested clarification on the 30-acre parcel. He asked how many homes were there going to be. Berg responded this was a concept plan and they could ask the developer to make whatever adjustments, as necessary.

Mr. Affolten stated he was concerned about 10 houses in his backyard versus 2 or 3 houses. Barker, the developer, stated this ended up being 2 units per acre. He believed there was opportunities for them to take feedback and look at this a little bit and see what we can do and adjust some features.

Carole Carlson, 1945 189th Avenue NE, expressed concern about run off and flooding of 189th. Balfany responded it would be a requirement that the developer manage the water that came from their property. Berg stated it was a State law regarding drainage and runoff that doesn't allow it to be moved outside of your own contiguous parcel of property, with the exception of County ditches. He stated the developer would not be able to grade the site away from their own existing ponds.

Palee Yang stated the new homes would be built right behind her backyard. She stated she was concerned about the peace and quiet and she did not want to see any change. She asked the City to take their voice into consideration and think about this project.

Phil Affolten stated 100 was a tragedy at night and asked it be addressed as an emergency exit; how do you stop the traffic from going in and out; was it going to be a through road that people were still going to be able to use because they will use that access point. She stated that was a deathtrap already and she did not want to see her kids get killed when they were leaving her home. She asked them to address the traffic going down that road. Balfany explained the County, City Engineer, and City staff would all be thoroughly looking at this.

Tracy Johnson asked if 189 was going to be connected to the development. Balfany responded this still needed to be reviewed by engineering.

Ms. Johnson stated she was concerned about people will take Briarwood to 68 to 189 and they already had enough traffic on Briarwood. She indicated she did not want people taking that shortcut because they already took a shortcut from 65 to 68. She expressed concern about more traffic. Berg responded at the completion of the Environmental Assessment Worksheet, it was required to solicit feedback from the public on the findings of the that Worksheet. He indicated all of the concerns were important and would be considered.

Paul Steinbrecher, asked if there would be another public hearing before this was approved. Balfany responded there would be multiple public hearings as this went along.

Mr. Steinbrecher, expressed concern about setting a precedent with this development. Berg responded that each proposed unit development was evaluated based on its own standards, its own zone, its own encompassing facts and just because it was approved in one location did not mean that it was going to be approved at another location.

Reiter stated this was just the beginning of a process and the approval tonight did not guarantee a final approval of this development. He indicated this was a feedback session for the developer to understand what they want as a community.

Balfany stated nothing was going to be approved tonight.

Balfany closed the public hearing at 8:39 p.m.

Berg stated there was also a concern about hunting or shooting. He pointed out that there was no prohibition to hunting within the City limits, the City did prohibit hunting on City or County owned property. He indicated the City also did not allow a discharge of a firearm within 500 feet of any dwelling house, or commercial/industrial building without written permission of the person who owned the property.

Johnson thanked everyone for attending the meeting. She stated it appeared a sticking point seemed to be the 30 acres in the southeast corner. She asked if there was anything that could be done to mitigate the concerns heard.

Terry recommended some kind of buffer, trees, or berms on the northern strip of the parcel on the east side for the people who had their yards butting up against it so they don't see the home in their backyards. He noted the east side of that block should also be looked at. He stated a lot of green space occurred where it was not adjacent to homes also.

Terry indicated he also had a concern about the two access points and that they were both on the north side of the development. Berg responded they exploring some sort of an emergency access off of 189th.

Reiter stated for the record, he wanted to present what he had prepared regarding the vision plan:

“So this is a mixed-use district. The Viking Meadows concept plan is proposed in a mixed-use area the City concept plan provides for only residential development does not meet the conditions described in mixed-use development description. What the purpose of mixed uses is to create an urban feel that's walkable and the mixed-use guidelines are to contain 72.5%, low density residential, 20% general commercial, and 7.5% high density.

This current proposal only has residential. So based on the guidelines, the recommendation is to include commercial out lots of development near Sandhill Parkway, it is very valuable land, and it would get gobbled up by commercial pretty quickly if you left those as out lots. And it would help us follow what our vision is. And allow people walking, you know, walkability to restaurants or even retail stores. Could you go to the next one?

This slide, another wordy slide. But this is a table describing the roadways around our City. Viking is considered a minor arterial roadway, the current speed limit is 55. Full movement intersections, meaning that you can turn to the right or crossover and go to the left, need to be spaced at a half a mile.

Currently Sandhill Parkway is not in compliance with this since it is under an eighth a mile. In order for us to come into compliance with what our guidelines are, we would need to reduce the speed limit or ask the county to reduce the speed limit to 35 miles an hour at that intersection. If

we were to reduce it to 40 to 45 miles an hour, it would be allowable to have a turn right only lane, but a median would have to be built so that people don't turn left onto that. This is our guidelines..."

Balfany asked out of curiosity where Reiter was going with this. Reiter responded he was describing what was going on in the area.

Balfany reminded Reiter that they were talking about the concept of this development. Reiter stated he was not trying to make this contentious, but he wanted to describe what was going on and stated he wanted to finish his presentation as he had been cut off.

Balfany requested Reiter make his comments pertinent to the meeting in regard to this concept to give feedback to the developer. He stated he did not want to go through a full presentation if they were just able to give the developer the facts of what his concerns were. Reiter stated this was relating to the use of Sandhill Parkway and the proposed other egress, which might be called Viking Meadows Drive. He noted he was not against development and he was presenting what was in the vision plan for the 2040 Comprehensive Plan.

Reiter asked if they should follow the guidelines leaving Sandhill Parkway go to the east. He hoped the County could build that as an intersection or reduce the speed so they were within the guidelines. Berg responded that the County set the speed limit on County roads and not the City.

Reiter stated he was concerned about the densities and the ability for the residents to leave that neighborhood which would create traffic conditions within the community and could cause residents to leave the community.

Johnson stated they were all concerned about that.

Balfany asked Reiter to get more direct and to bullet point his concerns.

Reiter stated he wanted to get on the record the following and to give him 10 minutes to finish:

"These two proposed intersections are, are very close to 65. They're there, they're within a half mile of each other. And within our guidelines, there are significant issues with what an Anoka County is going to let us do, or what Anoka County will do with Viking.

Next slide. This is where the proposed intersection is for context. Again, it's less than a half mile from 65.

Next slide. On current state under our guidelines, Sandhill was showing a right turn only and this is not what the current state is. But if we were following guidelines or get an Anoka County to follow guidelines, that section of road is going to turn at 35 miles an hour and potentially have a stoplight. Hopefully, we can convince them to do that.

Next slide. This is where for context, this is the photo.

Next slide please. With the current conditions in the guidelines as a right turn only if a median has to be put in and this isn't to become a 35 mile an hour road, this potential traffic impact to start of the North Academy as drivers are going to find an ingenious way to divert back towards the highway.

Next slide. We also have traffic transportation analysis zones that was conducted by the Met Council for development. Your planned development is in TAZ3, which describes what we forecast for growth.

Next slide. As you can see here in 2040 projected households in TAZ3 is 460 units. When we look at Elevage which is a plan development with 213 households, and then your development

with additional 370, this puts us approximately at 583 units in this TAZ, which surpasses our housing forecast by 160% by 2030. Not 2040 but by 2030.

So the point of this is to show that the Met Council and the State have not planned and the roadway development it not in a state yet to support this.

Again, hopefully we can work with the County and the State to change their plans, but really all these last slides have shown is that this is going to create a lot of traffic that we haven't planned for and we are not ready yet.

Next slide, please. This is the MUSA 2030 map, the green and black line denotes what that area is. The 35-acre parcel that's been talked about tonight resides outside...30. Excuse me, 30, as the vision plan, I guess is not enforceable. What our vision is, in the plan is to keep this around 10 acres. I think everybody has suggested that they'd be amenable to rural residential course that's up to you to make that decision on your next plan. And again, this is in our vision plan. I'm trying really hard to keep my opinion out of it.

Next slide, please. I showed this earlier today and this is just documentation describing what our vision was around land that's outside the urban service boundary and future growth area.

Next slide. This is Section 66-41. This is the information around concept plan, which we were talking about tonight. Multiple things that I guess I didn't see in the packet covered, including Kurt, in proposed land use and zoning, we saw a plat map, but not the zoning map. Evaluation by the applicant that the subdivision would not be determined to be premature pursuant to the criteria outlined by the comp plan, which I'm trying to advocate for tonight.

Additionally, with the concept plan, a hydrologic characteristics study needs to be submitted, which is described. Also site vegetation, cover type, woodland area boundaries, and visual trees having a diameter at breast height of 18 or more inches, and then different vegetation types.

Being that is a golf course, there's a lot of really mature and beautiful trees there that I think we'd hate to see go as a green city.

Moving on to the next one, the transportation system. In the proposal that was submitted functional classifications, current projected traffic volumes, general conditions, and provisions for alternate modes of transportation were not submitted in the proposal. And hopefully we can get those by the next meeting.

Moving on to the next slide. While you did present a general idea, our concept subdivision plan or concept plan does ask for a lot layout. And then additionally, size and location of commercial industrial buildings, which you haven't put into here. But base based on the mixed-use request and vision, hopefully we can find a way to include those on this development.

That's all I have. That's literally all from the vision plan. Those aren't my words."

Balfany stated he appreciated the hard work Reiter put into his presentation and this could be easily forwarded to the developer so they could see that.

Berg noted the purpose of a Planned Unit Development provision was to allow for flexibility and variation from conventional ordinary standards in exchange for potentially higher standards and this was the Commission's opportunity to give the parameters on what they wanted to see. Reiter responded that as what he was trying to do. He noted obviously a PUD was going to suggest other things, but he believed the closer you get to the vision, the more digestible the development will be for everyone in the community.

Berg stated in terms of the missing application material, which was on him and there was no point in going through items without knowing what direction they wanted to go. He noted they were going to be spending time, money, and resources as well as taking up the engineer's time to put something together that might never get off the ground. He stated when they have the items based on the feedback, staff will bring them forward. He stated he didn't see any purpose in having a conversation about what they want to see as a standard requirement based on application material as they will get to those items as part of the next phase of the concept plan or preliminary plat if it gets to the next level. He stated the requirements in the preliminary plat were significantly more than the requirements in the concept plan.

Terry asked if there was any possibility of accessing or acquire land so that the southernmost part of the road would connect either to Briarwood or 68 without having to use 189. Berg stated someone would need to acquire the land and donate it to the City in order to make that connection.

Terry asked if they needed another access point, was there a means to do it, or would it all be filled with homes. Berg responded he understood the developer had been out in the neighborhood and had talked to neighbors and they have made opportunities to make connections. He assumed if there was an opportunity for the developer to buy additional land south of there they were in the process of doing that, but if it was not available to them, then they were probably not going to acquire it.

Berg stated by Statute, they had to at least provide an extension or a roadway to undeveloped property and that was all the developer could be obligated to at this point, unless the City wanted to spend tax dollars to acquire property and easements to put in roads.

Hanschen stated he had heard everyone's concerns. He noted the developer had said they pulled back from the amount of density they could have there and their goal was not to come in and take over, but rather to merge and be a part of what the City had going on.

Hanschen understood this development was difficult for the residents where it was occurring in their backyard and he also moved to the City for the peace and quiet. He believed it would be the intention of the residents who were moving to the City that they would be moving in for peace and quiet also. He indicated it should be the City and resident's objective to welcome the new residents. He believed this development could be done but the resident's concerns needed to be heard. He noted the City had something to offer and that was why people moved into the City and they should cherish and focus on that instead of fighting it. With respect to the resident who wanted to be able to shoot off her guns, he suggested "let's walk them in with a 21-gun salute."

Reiter stated what Hanschen said made a lot of sense, but there was the potential for inequity issues to arise by having a development that didn't match the neighbors, the powersport users, the hunters, etc. He indicated people liked to be outside and have big bonfires. He asked in the design considerations that the developer take into consideration that they would like a community that shared some of those interests. He stated they were the gateway to the north surrounded by lakes and wooded areas and if this neighborhood didn't match that it would be an issue. He stated if there were people there who wanted more urbanization in the future, it would overpower the rural areas.

Johnson commended the developer for listening. She indicated she had never been through a process like this where somebody sat there and really tried to understand what was going on and she appreciated that. She stated the one thing that sounded "scary" to her was to have 350 houses in an area like that, but they had said they could put in 8 units per acre if they had wanted to.

Balfany stated this was another opportunity to extend this to new neighbors and give new people who want an opportunity to come out into a quiet area to come to the City. He indicated the City got to work with a developer who was not trying to fit every incident and squeeze this for every drop.

Balfany believed this developer was different and was listening.

6.0 Ordinance Review Discussion – Appendix A – Zoning, Section 10-4, Accessory Storage Containers

Berg suggesting tabling this item to the next meeting due to the time.

Commissioner Johnson moved and Commissioner Allenspach seconded to table the Ordinance Discussion. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

7.0 Updates

Council Liaison DeRoche updated the Commission on recent Council actions.

8.0 Adjournment

Commissioner Allenspach moved and Commissioner Reiter second to adjourn at 9:20 pm. Balfany asked any discussion? To the motion, all in favor say aye. **All in favor.** Balfany asked any opposed? That motion passes. **Motion passes unanimously.**

Submitted by:

Kathy Altman

TimeSaver Off Site Secretarial, Inc.