

Meeting Minutes
New Prague Planning Commission
Wednesday, May 25, 2016

1. Call Meeting to Order

The meeting was called to order at 6:30 p.m. by Planning Commission Chair Jay Nuhring with the following members present: Matthew Goldade, Jenna Tuma, Bob Gilman and Dan Meyer. All members were present.

City Staff Present: Ken Ondich – Planning / Community Development Director

2. Approval of April 27, 2016 Regular Meeting Minutes

It was moved by Gilman, seconded by Tuma, to approve the April 27, 2016 regular meeting minutes as submitted. Motion carried (5-0).

3. Old Business

A. None.

4. New Business

A. Public Hearing for Comprehensive Plan Amendment and Rezoning Certain Properties to RM Medium Residential Located in the Plat of Eastland (#R2-2016) Witt Properties, applicant

Planning Director Ondich stated that Witt Properties has made an application to amend the City's Comprehensive Plan and rezone some property they own to RM Medium Density Residential. He stated a similar request was reviewed by the Planning Commission on March 23, 2016 and was recommended for approval, but ultimately denied by the City Council on April 18, 2016 because it needed 4 out of 5 votes to approve, but only received three votes in favor. He stated that the subject property is in the Eastland Development which was platted in 2007 but infrastructure was not installed due to the slumping economy at the time. He stated that Witt is proposing to re-guide and rezoning their land in Eastland which is located south of Coborns but north of 5th Street SE. He stated that the land immediately south of Coborns south to 3rd Street SE is currently zoned B-2 Community Commercial and that there has not been interest in this land for commercial purposes. He noted that the 3.61 acres of commercial land being rezoned to residential does not negatively affect the long term need for 105 acres of commercial land for future growth as there are 410 acres available in the city growth boundary. He stated that the land south of 3rd Street SE but north of 5th Street SE is zoned RM Medium Density Residential on the north end and RL-90 Single Family Residential on the south end. He stated that

the properties are all to be rezoned to RM Medium Density Residential with Witt Properties proposing to construct 2 “executive” townhome units in the areas proposed for rezoning while noting a single three unit building directly south of Coborns and not by the single family homes as previously proposed. He stated that they would be similar to the units they have constructed on Freedom Ave., Independence Street and Flag Blvd but that the exact townhome layout would be required through a Planned Unit Development Process. He stated that there are twelve other areas of town that have single family homes backing up to multifamily areas. He stated that various portions of the Comprehensive Plan support the rezoning of the land to accommodate life-cycle housing needs of the community. He stated that staff recommends approval of the Comprehensive Plan amendment and associated rezoning to re-guide and re-zone the properties with the findings listed in the staff report.

The public hearing was opened at 6:44PM.

Pam O’Brien, 805 Lexington Ave. N., stated that she wanted to come to the meeting to put a face to the need for these types of townhomes. She stated that she and her husband Dan have lived in New Prague for 35 years and that her husband was the head football coach. She stated that they are looking to downsize to a three bedroom townhouse but that there are not any options available in the City and if they do come available they sell quickly. She stated that the association maintained development is desirable to them to live with other like-minded residents that don’t have the time or ability to maintain their yards. She stated that it’s also beneficial to have an association for the traveling they plan to do so that they don’t have to worry about maintenance while they are gone. She stated that they are baby boomers and that there are a lot in their age group that will be coming into this same mindset including lots of their friends that are talking about it as well. She stated that these \$250,000 to \$350,000 townhomes would generate a great tax value for the community. She stated that they would really be low density housing as they would have only one or two residents in each unit and would have less cars. She stated that they would like to stay living in this community and that they see lots of single family housing options but not for townhouses.

Jason Witt, applicant at 1530 280th Street W., provided an overview of the proposal and stated that they had removed the triplex adjacent to the single family home area and had added berms with staggered evergreen trees for screening between the single family homes and townhomes. He stated that they also provided renderings of the proposed townhome buildings. He stated that he had identified 12 areas of situations where single family homes abut townhomes. He stated that there were also other areas of higher density residential abutting townhomes but that he was only pointing out the places where townhomes abut single family homes. He stated that there has to be a transition zone between single family homes somewhere and that with the existing conditions in New Prague the precedence has already been set of this occurring in many areas.

Commissioner Tuma asked if the berm that exists at the tree line would be removed or if it would affect the existing tree line at all.

Mr. Witt stated that drainage was designed to flow from the existing single family homes to the east towards Autumn Ave. SE. He stated that they would keep as many trees as possible and to maintain all of the homes along Autumn Ave. SE. as townhomes to keep it as its own neighborhood type of feel. He also stated that there are plenty of single family lots available in the City but that there were zero executive townhome lots and therefore were not meeting the goals set out in the City's Comprehensive Plan. He stated that the \$250,000 to \$350,000 units would be association maintained.

Chair Nuhring asked what the lots south of 5th Street SE would be used for.

Mr. Witt stated that it would all be single family homes as it was platted and is currently zoned for. He stated that they may even install the western most street south of 5th Ave. SE yet this summer even before the townhome proposal is finalized. He stated that the homes would be most similar to those they have built in Heritage Estates where they do not allow split level homes.

Anne Anderson, 503 Prague Court SE, stated that all of her neighbors were busy and were not able to attend the meeting and therefore she would be the representative. She stated that not a lot has changed with the proposal and that only the triplex has been removed from the area adjacent to their homes and that the berming and trees had already been discussed at previous meetings. She stated that they would like to keep the land zoned for single family to the east of their single family homes. She stated that her family has lived in the area for generations. She stated that she just doesn't want this in their backyards. She stated that their neighbors the Sticha's might not have bought their house in the past couple of years had there been a possibility for townhomes behind them. She stated that Council member Dave Bruzek noted at a City Council meeting that he had received a call from an elderly person concerned about noise from kids and said that in their neighborhood right now there are lots of kids from toddlers on up. She stated that the kids in their neighborhood like to jump from yard to yard and that with townhomes they won't be able to do this and are concerned that their kids might have to change the way they play. She stated that she would love to see single family homes all the way to 5th Street SE and noted that just as Witt wants to keep a neighborhood feeling along Autumn Ave. SE they would like to keep that feeling along 5th Street SE. She stated that she built 13 years ago and that it was an investment. She asked the Planning Commissioners to think about if this proposal was in their own backyard how they would feel. She stated that no one for sure could say that their values wouldn't be negatively affected. She asked the Planning Commission not to take the decision lightly that it affects their entire neighborhood and investment they have made.

The public hearing was closed at 7:08PM.

Chair Nuhring thanked those in attendance for their comments and stated that the Planning Commission hopes to do the right thing. He asked Mr. Witt about the grading and asked if there would be enough drainage with a berm being installed and also asked if the single family property owners have any existing water issues on their lots.

Mrs. Anderson stated that their lot grading is like a bowl and that a couple of years after living in their house they had to have draitile installed in their backyard to get the water out and also noted that the Sticha's backyard water drains into their yard.

Mr. Witt stated that while he didn't have the construction plans in front of him that the plans show the water to drain to the east and out to Autumn Ave. SE. He stated that this should help out a little and would not make the drainage situation any worse than it is today.

Chair Nuhring stated that he normally thinks of berms being used to hide something unsightly and that it makes him sad to think that a nice townhome has to be hidden behind a berm versus just using more typical landscaping instead of the berm.

Mrs. Anderson stated that the neighbors did not suggest a berm be installed and that it was Witt that offered to install a berm. She stated that they just want screening and to keep the existing tree line.

Chair Nuhring stated that instead of the berm the existing tree line could be enhanced and suggested that the idea of the berm be dropped altogether.

Mr. Witt stated that there is an additional hearing required for the review of the planned unit development layout to review more details. He stated that they haven't put together those details at this time in order to see if this request is first approved.

Chair Nuhring stated that Mrs. O'Brien's story is similar to that of his neighbor's needing to downsize. He stated that there is a deficit and need for this type of housing in New Prague. He stated that Mrs. Anderson stated that she wants single family homes behind them and that it was all about the kids. He stated that kids in neighborhoods get older and that changes how they play in the neighborhood. He asked Mrs. Anderson to think about her own future and being able to stay in their own neighborhood in different housing. He stated that Mrs. Anderson noted that kids tend to jump from yard to yard in their neighborhood and that he doesn't think having townhouses there will limit their kids ability to play. He stated that he believes they have been fortunate to have had vacant land behind them for many years where their kids' likely play and that it must be hard to adjust to having it now be developed.

Mrs. Anderson stated that they knew it would eventually be developed but that it would be single family homes and not townhomes.

Chair Nuhring stated that if the request passed he suggests that Mrs. Anderson should think about the more than 30 single family homes that will be constructed to the south of 5th Street SE.

Mrs. Anderson asked Mr. Witt if the townhomes sell like hotcakes if they might make a future request to zone more of the land for medium density residential.

Mr. Witt stated that they would not make that request and that they might even open up the first portion of the single family home area this summer and that they had sold their last walkout lot in Heritage Estates.

Commissioner Meyer stated that he would like to preserve the townhome association on the east side of Autumn Ave. SE only as he didn't think it made sense to try to ask for townhomes on both sides of the north end and then to have a couple of single family homes on the south end on the west side. He stated that he could also see the townhomes extending further south on the east side of the single family area further to the south.

Mr. Witt stated that he likes the idea to keep the townhomes on the block of Autumn Ave. SE between 3rd Street SE and 5th Street SE to keep their own neighborhood grouped together and that it wouldn't make sense to put single family homes on the block.

Commissioner Gilman stated that he agreed with Mr. Witt that having all of Autumn Ave. SE be townhomes has a flow to it.

Commissioner Tuma stated that she liked Chair Nuhring's comments. She stated that she felt these townhomes were more appropriated called attached single family homes as they each do not house multiple families. She stated that she does not believe this proposal would affect the use of the existing single family home yards. She stated that the Planning Commission needs to do what is best for the whole and not just for one or two people.

Chair Nuhring stated that the single family home owners can do things to improve their own properties and to work with Mr. Witt on designs for landscaping.

A motion was made by Gilman, seconded by Goldade to recommend that the City Council approve the Comprehensive Plan Amendment and associated rezoning request #R2-2016 with the following findings supporting the comprehensive plan amendment:

1. Amending the future land use plan with the described changes will provide for additional life cycle housing in the form of "executive" townhomes which currently has a documented demand.
2. Removing 3.61 acres of commercial land from an undesirable location will not have an adverse effect on the overall commercial land use needs in the City.

And with the following findings supporting the rezoning request:

1. Rezoning the described properties will provide for additional life cycle housing in the form of "executive" townhomes which currently has a documented demand.
2. Rezoning 3.61 acres of commercial land in an undesirable location to RM Medium Density Residential Zoning will not have an adverse effect on the overall commercial land use needs in the City.

3. Rezoning the land described to RM Medium Density Residential Zoning will conform to the City's Comprehensive Plan.

Motion carried (4-1, Meyer).

5. Miscellaneous

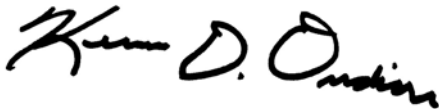
The following miscellaneous items were reviewed as information only:

- A. Temporary Dwelling Law – Planning Director Ondich provided an article from the League of Minnesota Cities regarding a new law that takes effect on September 1, 2016 requiring cities to issue permits for temporary dwelling units that can be placed in driveways or yards. He stated that cities can opt out of the law by passing an ordinance. He stated that they would likely be bringing back more information on the topic in the next month or two. The Planning Commission generally discussed the topic and noted that there was likely a need for a cost effective alternative for transitional housing but that they would like to explore the idea of having more minimum requirements. Planning Director Ondich stated that the idea of more permanent “granny pods” had been discussed by the Planning Commission previously, but they were permanent units in backyards versus this new law that is temporary and allows them to be placed anywhere. Planning Director Ondich stated that he would find the minutes from the previous discussion and include them in the June packets along with other information that might be collected before the meeting.
- B. Monthly Business Update – Planning Director Ondich provided the Monthly Business update to the Planning Commission that had been provided to the EDA earlier in the month.

6. Adjournment

A motion was made by Tuma seconded by Goldade to adjourn the meeting at 7:49 p.m. Motion carried (5-0).

Respectfully submitted,



Kenneth D. Ondich
Planning Director