

City of Rockville Planning Commission Minutes
November 22, 2005 Time: 7:00 p.m.
Place: John Clark Elem. School Media Ctr.

The meeting was called to order at 7:00 p.m. by Chair Jerry Bechtold.

Roll Call: Present: Chair Jerry Bechtold, Toni Honer, Dale Borgmann, Linda Peck, Roger Schmidt, Dan Hansen. Kathleen Stanger arrived at 8:00 p.m. Absent: Vern Ahles (liason with the City Council).

Staff: Rena Weber (City Administrator), Scott Hedlund (City Engineer), Nancy Scott (Building Inspector)

Approval of Agenda/Amendments: Moved and seconded that the agenda/amendments be approved as presented. **Passed.**

Approval of Minutes of 11/10/05: Moved and seconded that these minutes be approved **with the following correction:** On page 2, item f) should be rewritten as such: **Rena reported that she will make a request to the Budget and Finance Committee. The request will be to hire a person (Dale Borgmann has been recommended) to do these site inspections. It is hoped that the Committee will incorporate \$12/hour in the 2006 budget to cover this position.** The last two sentences of f) remain the same.

Motion passed.

Approval of Minutes of 11/15/05 (special meeting with MDG, INC on signs): Moved and seconded that these minutes be approved with the following corrections:

- a) On page 1, **change** #19 (page 5 removed and replaced with item 7j) **to** #19 (page 6 removed and replaced with item **j on page 7**).
- b) On page 1, **change:** (Sign permits are done administratively and do not need to come before **and** commissions unless they are requesting a variance **request**) **to** Sign permits are done administratively and do not need to come before **any** commissions unless a variance is being requested.
- c) On page 2, make the following addition to the second paragraph: Downtown standards under section A (**page 14**)...

Motion passed.

New Business:

a) Building Official: Nancy Scott, Rockville's Building Inspector, gave a brief overview of her responsibilities and answered various questions from the Commission. The most common difficulties Nancy encounters stem from citizens not fully understanding how and when to obtain permits. Any structural change being made to a building (outside or inside) requires a permit. Examples: changing the size of windows, remodeling, residing, reshingling. If one replaces their furnace, a permit and inspection is required. All contractors are aware of the permit process and should be asked by homeowners about appropriate permits and how to apply for them. The value of a permit

(based on square footage, etc) is decided by state statute. Property line issues between adjacent land owners are not the responsibility of either the building inspector or the City. If such disputes occur, the land owners in questions must deal with the situation. However, if a structure is being built too close to an adjacent property line and is not in compliance with City ordinances, Nancy (if informed) will send a letter of inquiry to the appropriate land owner. Nancy recommended that all homeowners have a **Certificate of Survey** for their land. Developers must have certificate of surveys completed for each lot they plat and could make these available to the buyer of the lot for a reasonable fee. Each building permit is given a 60 day deadline i.e. a recommended timeline in which action on the project takes place. This 60 day timetable is mainly a reminder for the building inspector. Nancy does not hold people strictly accountable. She prefers to make gentle reminders. However, if there is no action taken on actuating the permit within 180 days, the permit becomes void. Nancy highly encouraged anyone with questions about permits to contact her. **Two recommendations were made by the Planning Commission: 1) A hard copy of the permit be given by the building inspector to each homeowner/contractor requesting a building permit. 2) The City recommends that all home/land owners obtain a Certificate of Survey.**

b) Grand Lake Meadows – Concept Plan: David Hagen and Eric Beazley were present from Loucks Associates and gave a summary of the Grand Lakes Meadows Concept Plan. The concept plan is to develop 155 acres of land lying east of C.R. 8 and just north of Grand Lake and Hubert Lane. Grand Lake is classified as a general development lake under the MNDNR's classification system. This acreage was owned by Clarence Bloch and is now owned by Dennis Backes (Backes Companies). The plan involves 305 single family residences but this number could go up or down as the plan proceeds. The land is presently zoned Ag-40. A rezoning to R-1 would be required. Part of these 155 acres is within the shoreland boundary (1000 feet) of Grand Lake. Here lots sizes would be 15,000 square feet and 85 feet in width as required by Rockville's ordinance. In the R-1 area outside of the shoreland boundary, the 10,200 square feet per lot and 85 foot width per lot would be followed. Homes will be connected to the City sewer interceptor line that extends along C.R. 8 just south of the site. To make sanitary sewer connections for the homes planned in the northeast section of the development, some grading will be required i.e. ground level raised to allow gravity feeding from these homes to the interceptor line. All homes will have City water which will entail siting a new water tower. The location of this tower is still to be worked out. Approximately 1/3rd of the land slopes to Grand Lake. Less than 5 acres of the land will have water returning naturally (by percolation through the bluff area just north of Hubert Lane) back to Grand Lake. All other water will be directed to holding ponds for treatment then passing through wetlands. Two entrances into the development from C.R. 8 are planned. The Stearns County Highway Department recommended that 2 entries are desirable for this number of homes. A 17.5 acre park is tentatively planned in the northeast section of the property where mature trees and wetlands are located. This amount of land dedicated to parks exceeds the 12.6 acres required. Pedestrian paths are planned within the development directing people to the park area. Road access to the park is also being planned. Where to locate parking spaces and how many spaces to provide at the park site are still being worked out. On December 7, 2005, Loucks Associates will attend the

Rockville City Council meeting to discuss the concept plan and doing an EAW (Environmental Assessment Worksheet) which is required when plans involve more than 100 lots.

Chair Bechtold reminded Commission members that, prior to making any recommendations on this concept plan, Commission members needed to make a site tour. Following this site visit, open discussion and suggestions as regards the development would be in order at the Commission's January 5th, 2006 meeting. **A tour of the Grand Lake Meadows site was scheduled for Saturday, November 26th, 2005 starting at 10:00 a.m. Commissioners are to meet at the farm site.** Rena gave a summary of written comments received from citizens as regards this concept plan (included in the Planning Commission Packets):

- a) Letters dated November 16 and November 18, 2005 from Jim Pflapsen (202nd Street, Cold Spring) 1) recommended having the Planning Commission appoint a citizen-based committee (including Grand Lake residents) to work with the developer; 2) indicated that Dennis Backes would be willing to work with citizens; 3) City Council should advise the developer that rezoning request would only be approved if they agree to work conscientiously with citizens committee to finalize acceptable site plan; 4) delay zoning request change until 1) and 2) can be worked out; 5) a 4-6 week delay in the zoning request change seemed okay with Backes.
- b) Letter dated November 19, 2005 from Virginia Becker et al (11373 Hubert Lane, Rockville): 1) concerned over the size and potential impacts of proposed development to properties and people already existing along Hubert Lane; 2) encouraged that Commission and Council listen to the concerns and suggestions from the Grand Lake Area Association.
- c) Letter dated November 19, 2005 from Susan Dean (21983 Agate Beach Road, St. Cloud): 1) encouraged all to listen to the Grand Lake Area Association and the Lake Associate Board members before proceeding; 2) we need to work together to preserve and improve the quality of life for the present and future residents of Rockville.
- d) Letter dated November 21, 2005, from Ron Westrup (Grand Lake resident): 1) concerned over number of house lots being proposed as "low density" when one is going from Ag-40 so abruptly to R-1 zoning; 2) fears increased population near Grand Lake and the potential impact to the health of the Lake from second tier development; 3) what about the impact and consequences of increased traffic along C.R. 8.?

A request was made by citizens attending the meeting that they have an opportunity to address the Commission as regards the Grand Lake Meadow concept plan. The Chair reminded the public that this was not a Public Hearing and it was appropriate to rule out any oral testimony at this time. David Hagen (Loucks Associates) stated that they would be open to public comments – they wanted to have as much input as possible into their concept plan. Jerry asked for a **Roll Call Vote** allowing public comments at this time. A three minute time limited was requested by Roger Schmidt to help guide participation. **Voting Yes to allow Public Input at this time: Toni Honer, Dan Hansen, Linda Peck, Roger Schmidt, Dale Borgmann and Chair Bechtold. Unanimous approval by Commission members present.** (Kathleen Stanger had not yet arrived). The following

people gave testimony: Bob White (Mitchell Lane), Sue Palmer (Fowler Rd), David Lang (C.R.8), David Volkmuth (Lake Road), Jim Pflapsen (202nd Street), Ken Peka (Riverdale Dr. N.), Ken Kunkel (C.R. 8), Ron Geiselhart (10803 Mitchell Lane), Roger Neils (attorney serving the Grand Lake Association), and Scott Palmer (President on behalf of the Board of Directors, Grand Lake Area Association). Testimony covered the following: 1) this development will have a significant impact on the Rockville community as a whole: schools, transportation, watershed, quality of life; 2) concern over impact to wetlands to the east and to water quality in Grand Lake; 3) can the sewer line accommodate this number of homes?; 4) the comments from MDG, Inc. are excellent; 5) park needs have not been adequately addressed; 5) need clarification of the process and time line for the project i.e. how does the whole process unfold?; 6) too many houses are being proposed; 7) the lots are too small; 8) if the development is carried out, how will lighting within the development be addressed. One of the pleasures around Grand Lake is being able to view a night sky without light pollution; 9) too dense a development for the area. Consider sequencing density out from the City core vs. from the edges in; 10) opportunities for additional public input: a) when application for rezoning is filed there will be a public hearing; b) comments on the EAW; 11) Are shoreland land use controls adequate? Perhaps other alternatives could be considered; 12) The shoreland regulations are being updated by the MNDNR and should be available in 2006. A moratorium could be imposed by the City until the new regulations are in order; 13) there are farm operations nearby. How will farm activities (hauling and spreading manure) be protected with so many new homes built nearby? Scott Palmer gave oral testimony but also submitted his comments in writing that **should be made part of the record**. In brief the following 8 points were made: 1) The concept plan for Grand Lake Meadows is incompatible with the language in the comprehensive plan; 2) the environmental impact of a 35% increase in population for the City of Rockville should be taken quite seriously, especially when this growth will occur adjacent to one of the valued natural resources in the City of Rockville; 3) adequate stewardship of the function of existing wetlands is a concern; 4) The Board of Grand Lake Association requests that any proposals to rezone this parcel of land to R-1 (single family residential) be denied until the environmental impacts of this proposed development are identified and addressed; 5) The Board of Directors of the Grand Lake Area Association requests that the City of Rockville review and adopt Minnesota's Alternative Shoreland Management Standards to help preserve our shoreline, our water clarity and the health of our Grand Lake watershed; 6) concern over second tier development and request to adopt the following statement in the form of a city ordinance: "Access lots that provide riparian access for owners of non-riparian lots or parcels shall be prohibited."; 7) Until the completion of an EAW, this parcel of land should not be rezoned to R-1; 8) respectfully request that leaders of the City and developers recognize the mission statement of the Grand Lake Area Association: "The mission is to restore and preserve the Grand Lake watershed, returning Grand Lake to its mesotrophic state, creating the finest lake experience in central Minnesota." Rena indicated the City has sent comments and information to Dan Lais (MNDNR Waters), Stearns County Environmental Services, Julie Klocker (Executive Director, Sauk River Watershed District) and School District 750 Superintendent Scott Staska for their input.

c) Hansen-Wetland Bank Project: Dan went over his project that would occur in two phases. Phase I will result in the creation of 159,079 square feet of New Wetland and 185,306 square feet of Upland Buffer. Phase II will result in 205,567 square feet of New Wetland and 116,126 square feet of Upland Buffer. Commission members encouraged Dan to continue working on his proposal. Dan must apply for a conditional use permit and get approval from Stearns County. Rena offered to help Dan in completing these requirements.

d) Review/Revise Preliminary/Final Plat Form: There were no changes recommended by Commission members. However one question keeps surfacing that **the Commission would like the City attorney to address:** **What are the pros and cons with each of the two approaches: 1) City Council approving rezoning request prior to the approval of a preliminary plat vs 2) City Council approving rezoning with the preliminary plat?**

Adjournment: Moved and seconded to adjourn the meeting. Time: 9:15 p.m. **Passed.**

Chairman_____

Rec. Sec._____